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# THESIS

**BELARUS – ON THE ROAD TO NATIONHOOD OR BACK TO A MERGER WITH RUSSIA ?**

by

Carl Haselbach

June 1997

Thesis Advisor: Mikhail Tsypkin

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Various Belarusian factors likely to generate or to foster national identity and state independence are examined. None of them (ethno-cultural patterns, institutions and politics, attitudes of the Belarusian people) gives reason for optimism. Belarusian national identity is poorly developed and unable to serve as a formative factor in nation-building. In addition, Belarus shows a high economic dependence on Russia. Thus, the country pursues a course of close alignment with its former overseer.

Belarus and Russia have initiated an integration process, the real aims of which are unclear. Bilateral treaties remain largely unimplemented, while the countries' leaders make contradictory statements about the possibility of a Belarusian-Russian unification. For Russia, this inconsistency reflects a lack of consensus on the issue within the government and among the various political factions. In the absence of an agreed-upon foreign policy in the "near abroad", Russian nostalgia for Slavic unity and the loss of the Empire complicates the debate.

Hence, the future of a sovereign Belarus or the form of a Belarusian-Russian political alignment is still to be decided.

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# BELARUS - ON THE ROAD TO NATIONHOOD OR BACK TO A MERGER WITH RUSSIA ?

Carl Haselbach
Colonel, Swiss Army
Ph.D., Swiss Federal Institute of Technology, Zurich, 1983

Submitted in partial fulfillment of the
requirements for the degree of

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# ABSTRACT

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## EXECUTIVE SUMMARY

This thesis, a single case study, focuses on the manner in which Belarus handles the sovereignty that it acquired during the implosion of the Soviet Union.

Specifically, the thesis examines: (1) the status of various Belarusian factors likely to foster national identity and state independence; (2) the project of a union between Belarus and Russia as initiated by the Treaty on the Formation of the Community of Belarus and Russia of April 1996 and the Treaty on the Union of Belarus and Russia of April 1997; and (3) the stance of different Russian factions on the issue. In addition, (4), the thesis sketches what could be a realistic regional integration process under the lead of Russia as the natural center of gravity of the area.

(1): All the examined factors likely to strengthen Belarusian national identity (ethno-cultural patterns, institutions and politics, and the attitudes of the Belarusians toward their sovereignty) give no reason for optimism. Ethno-culturally and historically, Belarus's affinities with Russia are such that differences between the two are minimal. Likewise, the Belarusian institutions and politics do little to develop nationhood. The nationalist opposition has been muzzled by an authoritarian regime that strives for close ties with Russia. Civil liberties – especially access to private property and to uncensored information – are curtailed. The Lukashenko regime is not the *cause* for Belarus's wish for a close association with Russia but a *consequence* of the overall attitude of the Belarusians toward their sovereignty. Despite an active but numerically weak nationalist opposition, the majority of the Belarusians sees the country's future in the framework of Rus-

sia-oriented arrangements and regularly sanctions the government's policies at the ballot box. In addition, Belarus shows a high economic dependence on its former overseer.

It is thus likely that Belarus will continue to look for an alignment with Russia determined by affinities and an asymmetrical economic dependence. The thesis argues that this is, after all, a legitimate posture.

(2): Officially, Belarus and Russia are on an integrative convergence course. The basic problem is that the two parties follow different objectives and that the level of integration and the legal framework within which the integration should occur remain unclear. Though the two treaties signed in 1996 and 1997 are ambitious declarations of intent, their wording is vague and – in places – contradictory. The agreements neither prioritize the integration steps nor set up an implementation agenda. The future union's mixed bodies – a Supreme Council, a Parliamentary Assembly, and an Executive Committee – lack binding powers or still await their statute. With regard to the preparatory steps agreed upon in the first treaty, the Supreme Council and the Executive Committee passed resolutions of merely minor importance throughout 1996. Finally, contradictory statements of the two countries' leaders regarding the possibility of a Belarusian-Russian reunification reveal the misuse of the union project for political demagoguery.

Hence, the two treaties and the integrative activities that have occurred since April 1996 say little about the likely evolution of the union project. It is difficult if not impossible to assess the future line of action of the two parties on the basis of the written agreements.

(3): The Russian Federation has not yet taken its final shape as a state. Correspondingly, a consensus among the Russian elites on the country's national interests – to

include its relations with the other former Soviet republics – has not yet emerged. Thus, the views on the desirable nature and intensity of the country's relations with Belarus also vary. The vague plan for a unification matches the views of the Kremlin conservatives, the Russian nationalists and Communists in parliament, and of a broad section of the elites and the population at large that mourns the loss of the Empire or takes to the nostalgia for fraternal Slavic unity. On the other hand, opponents of a special Russian-Belarusian relationship are the Kremlin reformers and the liberal democrats. While the former refuse to saddle Russia with the Belarusian economy, the latter denounce a Belarusian domestic situation that tramples human rights and the freedom of information.

Much of Russia's further policy toward the question will thus depend on the ability of the Russian elites to find a consensus on the Federation's foreign policy strategy and on the political faction that will hold power in the post-Yeltsin era.

(4): Because the Belarusian-Russian integration process is viewed as an inappropriate conduct of foreign policy, the thesis sketches what could be a realistic regional integration process under the lead of Russia as the natural major power of the area. The main propositions are that in any integration procedure Russia should: (a) refrain from aiming at political superstructures before defining and prioritizing concrete integration objectives; (b) strive first for an economic, not for a political, integration; (c) initiate the process on a bilateral basis, outside the CIS frame; (d) preserve the formal sovereignty of its integration partners while establishing closer political bonds in a subsequent integration step; (e) refrain – at least on its western flank – from establishing a system of collective defense that would merely be considered as a threat by potential integration partners; and (f) establish a timeframe for integration into the first decade of the next century.

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# I. INTRODUCTION

Five years after the collapse of Soviet Communism, Russia, the Newly Independent States, and some of Europe's former Soviet satellites are still not settled. It is likely that the emergence of a new regional order will be a lengthy and complicated venture. The importance of the area makes it imperative to closely monitor the evolution of the situation.

On 27 July 1990, the Belorussian Soviet Socialist Republic (BSSR) – or short Belorussia – emulated some of its sister republics and issued a declaration of sovereignty. Following the abortive August 1991 Moscow *coup*, the BSSR's Supreme Soviet proclaimed the country's independence on 25 August 1991. The Belorussian Communist Party (BCP) was suspended. On 18 September 1991, the country's name was changed to Republic of Belarus – or Belarus for short – .[1] So began the move from the Soviet regime to a new future.

Since then, Belarus has been very hesitant to assume its sovereignty and to enter on the road to nationhood. The country's leadership, the local elites, and the popular will expressed at the ballot box aim at close ties with Russia. Officially, Belarus and Russia are on a convergence course, moving toward an association that will reunify what has been torn asunder in 1991. Thus, Belarus appears to be the first post-colonial state in modern history that is striving to reunite with its former imperial overseer.

---

[1] The different names for the country or the area and the various orthographies used to spell them are confusing but symptomatic of the thesis's topic! To simplify matters, the text will use Belarus and Belarusian throughout, except in quotes and where a differentiation is necessary for a better understanding

To be sure, a unification of Belarus and Russia would conjure up the specter of Soviet imperialism. A westward expansion of the Russian Federation would be perceived as a serious threat by the Baltic states, Ukraine, Poland, and – possibly – by an enlarged North Atlantic Treaty Organization (NATO).

On the other hand, a consolidation of Russia's relations with the Central and Eastern European states is legitimate and desirable. A Russian foreign policy strategy that would initiate a constructive regional rapprochement or integration process with countries that are not aiming at going "back to Europe" or are unlikely to be invited to join the major Western organizations would help to stabilize the region.

Belarus and Russia have initiated a Union process, the real aims of which remain unclear. For obvious electoral and populistic demagoguery, the two countries' leaders now and then beat the drum of a complete unification, while the more modest provisions of various bilateral treaties remain largely unimplemented. Furthermore, Belarus has shifted toward an authoritarian – if not dictatorial – regime that has muzzled the nationalist movement and acts in an increasingly arbitrary way. Hence, the future of an independent Belarus or the form of a Belarusian-Russian association is still to be decided.

In the first chapter, the present thesis – a single case study – reviews the factors that forge national identity and focuses on theoretical aspects of alignment politics.

The thesis then analyzes the current status of various Belarusian variables with regard to their impact as formative factors for nation-building and independence.

In the subsequent chapter, the thesis discusses the ongoing project of a Union between Belarus and Russia. Going beyond the various slogan-like declarations of intent

by the Russian leadership, the chapter that follows tries to determine the true stance concerning the issue of the different Russian political factions.

Finally, the last chapter sketches what could be a realistic regional integration process under the lead of Russia as the natural geographic, political, economic, and cultural 'center of gravity' of the area.

After President Aleksandr Lukashenko's struggle with the Belarusian Legislative and Constitutional Council on the occasion of the 23 November 1996 referendum, Belarus returned to the newspapers' front pages on 2 April 1997 when it signed the 'Treaty on the Union of Belarus and Russia' with Moscow. Though the situation is constantly evolving, it is unlikely that some turnabout will invalidate the thesis's core argumentation before long. The cut-off point of the present research is the end of April 1997.

## II. THEORETICAL ASPECTS

### A. NATIONAL IDENTITY

National identity is a collective cultural phenomenon. While nationalism, as an ideology and form of politics is clearly related to the wider spectrum of national identity, it has nevertheless to be clearly distinguished from the latter. National identity has much to do with sentiments and symbolism and typically refers to ancestry or territory – or both – as the basis of a political community.

This section reviews the factors that create and shape national identity. The purpose in doing so is to determine the Belarusian variables that will be analyzed in the following chapter. The section follows the line of argumentation of Anthony Smith, presented in his standard work, National Identity, and of Urs Altermatt, in his book Das Fanal von Sarajevo – Ethnonationalismus in Europa.[2]

What is a "nation" and what attributes does "national identity" imply? The perception has evolved over time and become truly multidimensional. The term nation is derived from the Latin *natio* – from *nasci* or to be born – and thus means first a community of common origin or descent: Medieval sources equate the word *nationes* with *gentes* or peoples. This common origin of peoples was then early on associated with a shared common language. So for example, the organizational structure of the Council of Constance – held from1414 to 1417 – did not assign the French speaking clergies from Savoy, the Provence, and Lorraine to the so-called *natio germanica* despite the fact that

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[2] Anthony Smith, National Identity, Reno: University of Nevada Press, 1991; and Urs Altermatt, Das Fanal von Sarajevo – Ethnonationalismus in Europa, Zurich (Switzerland): Verlag Neue Zürcher Zeitung, 1996

they belonged politically to the Holy Roman Empire or *Reich*. The concept of the nation being a political and legal entity is of more recent origin: In 1694, the *Académie Française* defined a nation as consisting of the inhabitants of a same state or country that live under a same legislation and use a same language. Finally, the concept of a nation as a 'community of shared interests' goes back to an 1882 speech of the French philosopher and historian Ernest Renan.[3]

A fundamental and still referred to differentiation between two basic concepts of the nation in its state expression was coined in 1907 by the German historian Friedrich Meinecke. Meinecke distinguished the *Kulturnation*, a largely passive, ethnic and cultural community, from the *Staatsnation*, an active, self-determining political entity.[4]

Historically, the *Kulturnation* has been viewed as a non-Western idea of national identity in that it sprang up mainly in Eastern Europe and in Asia. Anthony Smith names this model an "ethnic conception of the nation"[5] with four different facets: (1) Genealogy and presumed descent ties; (2) Popular or demotic mobilization; (3) Vernacular language; and (4) Customs and traditions.

(1): The ethnic conception stresses presumed descent rather than territory. The nation is a kind of 'super-family'. It traces its roots to an alleged common ancestry and views therefore its members to be differentiated from outsiders by brotherly 'family ties'. Hence, in a *Kulturnation*, nationality is commonly acquired by descent – the so-called *ius sanguinis* or right of the blood –, whereas in a *Staatsnation* citizenship is usually granted

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3 Urs Altermatt, Op. cit., pp. 26-27

4 Ibid., pp. 29-42; and Anthony Smith, Op. cit., pp. 8-15

5 Ibid. (Smith), p. 11

to every person born within the state's boundaries – according to the *ius soli* or right of the soil.[6] (2): This emphasis on family ties leads to a strong popular element in the conception of the nation. The people provide the ultimate object of nationalist aspirations even if they are not actually mobilized for political action. In other words, people are used as the "final rhetorical court of appeal"[7] and leaders will justify their actions as being the implementation of the popular will. (3) and (4): The component of the *patria* – that is, of the fatherland or of the spiritual community – of a nation expresses itself through vernacular culture, usually language, customs, and traditions. The *Kulturnation* emphasizes popular awareness of the nation's history, linguistic tradition, and myths. Hence, historians, philologists, and folklorists have played and play a central role in a *Kulturnation*'s nationalist movement.[8]

On the other hand, the *Staatsnation* is said to be a Western or civic-territorial concept of the nation. Its four main elements are: (1) A spatial-territorial conception; (2) A sense of legal-political community; (3) A perception of legal equality among the nation's members; and (4) A common civic culture and ideology.[9]

(1): The civic conception relies heavily on the perception of the territory as the 'home-land' or 'cradle' of the people even if it is not the land of ultimate origin. People

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6 Urs Altermatt, Op. cit., p. 34

7 Anthony Smith, Op. cit., p. 12

8 Ibid.

9 Ibid., pp. 11-12

and territory belong together; the territory shapes the people and vice versa.[10] The homeland is the repository of the nation's historical memories and becomes a kind of sacred place whose importance can only be perceived by the members of the nation. (2): The *patria* is perceived as a community of laws and institutions with a single political will. The common institutions give expression to common political sentiments and purposes. It is irrelevant whether this *patria* is based on centralized and unitary or on federal institutions. The important – though often circumscribed – participation of the citizen in the *patria*'s activities can occur as well in the frame of a one-party system organized on a territory-wide basis, as in the small, diversified, and multi-layered sub-units of a federal system.[11] (3): Concurrent with the sense of legal and political community, the *Staatsnation* ties its members into a perception of legal equality. This equality expresses itself in political rights and duties, civil liberties and obligations, and socio-economic rights. While all members of the nation are legally equal, outsiders are correlatively excluded from those rights and duties.[12] (4): The perception of a legally equal community rests on a set of common "understandings and aspirations, sentiments and ideas, that bind the population together."[13] In other words, nations must have a measure of common culture and civic ideology. The task of ensuring a common mass culture is usually handed over to the system of public education.

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[10] The early Dutch who saw themselves as "formed by the high seas and as forging the earth they (...) made their own" are an example of the perception of such a mutual influence. In: Ibid., p. 9

[11] Ibid., pp. 117-18

[12] Ibid., p. 10

[13] Ibid., p. 11

At a closer look, this dual typology is a rather abstract construct. The expression of a country's national identity always contains ethno-cultural and civic-territorial elements in varying degrees and different forms. Most often also, the emphasis given to factors of the one or the other conception within the same nation changes over time. In other words, national identity comprises both a cultural and political identity and is located in a political community as well as a cultural one.[14] Furthermore, the model of the *Staatsnation* is not exclusively a Western phenomenon, just as the type of the *Kulturnation* model is not found only in the East. To be sure, the emergence of countries like the United States, France, Great Britain, or Switzerland occurred predominantly in the patterns of a *Staatsnation*. On the other hand, the feeling of a common destiny in the German and Italian states rested mainly on language and culture – and thus on the attributes of a *Kulturnation* – until their political unifications at the end of the 19th century.[15] Likewise, the Polish-Lithuanian Commonwealth that lasted from 1569 to the Polish Partitions in the late 1700s, and of which Belarus was a part (see section III.A.3. below), was clearly articulated as a *Staatsnation*.[16]

Hence, certain beliefs about what constitutes a nation are common to both presented conceptions. According to Anthony Smith, these common beliefs are: (a) The idea that nations are units of people territorially bounded in a so-called homeland; (b) The perception that their members share a common culture (language, customs, and traditions) and / or common historical memories and myths; (c) The sense that a nation's citi-

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[14] Ibid., p. 99

[15] Urs Altermatt, Op. cit., p. 30

[16] Ibid., p. 32

zens have reciprocal legal rights and duties under a common legal system; and (d) The notion that nations ensure common socio-economic rights and possess a common economy.[17]

Based on all these aspects, Chapter II will investigate the status of the following Belarusian variables with regard to their impact on nation building and potential for the creation of a sense of national uniqueness: (1) Ethno-cultural patterns (Ethnicity, language and culture, and historical memory); (2) Institutions and politics; (3) The attitude of the Belarusians towards their national sovereignty; and (4) Aspects of the Belarusian economy.

## B. ALIGNMENT POLITICS

This section summarizes aspects of the origins of alignments. It investigates what are – on a theoretical basis – the forces that bring states together and what are the factors that determine a country to prefer one partner to another. The purpose here is to determine at the end of Chapter III whether the Belarusian stance toward a merger with Russia can be explained, and its future attitude predicted, by means of the theory. The section does not review the motives for, and patterns of, a non-alignment, de-alignment, or realignment behavior. These aspects of international relations are irrelevant for the Belarusian case study.

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[17] Anthony Smith, Op. cit., p. 13-14

Among the countless books written on the subject, the section focuses on George Liska's Nations in Alliance and on Stephen Walt's The Origins of Alliances.[18]

Alignments are based on (1) fear, (2) affinities, (3) dependence, or (4) on transnational penetration. In any case, aligning states aim at optimizing their interests. Generally speaking, it is a question of maximizing gains, minimizing costs, and sharing liabilities.[19] Likewise, "pending the evolution [of the alignment], provisionally disparate interests of members must be at least compatible with each other and with the maintenance of the initial interests, if the association is to succeed."[20]

(1): In an alignment determined by fear, the triggering factor is the confrontation by an external threat. Classically, states may either balance or bandwagon. "Balancing is defined as allying with others against the prevailing threat, while bandwagoning refers to alignment with the source of danger."[21]

Balancing aims at curbing a potential hegemon before it becomes too strong. A lesser state has different motives for balancing than a stronger power. The lesser state rallies to the stronger or a coalition as a reaction against the threat coming from a third country. In doing so, the perception of the threat has to be stronger than the worry to lose its identity while aligning. Conversely, the stronger state or the coalition seeks to improve its relative power and to deny the resources of the aligning state to the potential adversary. Likewise,

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[18] George Liska, Nations in Alliance – The Limits of Interdependence, Baltimore: The Johns Hopkins Press, 1962; and Stephen Walt, The Origins of Alliances, Ithaca: Cornell University Press, 1987

[19] George Liska, Op. cit., p. 26

[20] Ibid., p. 28

[21] Stephen Walt, Op. cit., p. 17

for the admitting body, the alignment has to represent a net gain in power. Otherwise, the alignment would bring nothing but a dilution or overextension of commitment and resources.[22]

By aligning with an offensive greater power, a lesser state acts defensively or offensively. Bandwagoning is first a form of defensive appeasement. It seeks to avoid an aggression by diverting it elsewhere, and thus to preserve state independence or at least integrity. Bandwagoning is, second, a form of offensive opportunism. A state may align with the dominant power to share the fruits of the latter's offensive behavior.[23]

(2): In an alignment determined by affinities or "ideological solidarity,"[24] states ally because they share political, cultural, or other characteristics. The more similar states are, the more likely they are to align with each other. Hence, the alignment with like states may first be perceived as a way of defending one's own political principles or cultural patterns. If one's own system is viewed as inherently good, it is good as well to foster this very system in other states. Second, the alignment may be facilitated by the relative absence of fear. States with matching characteristics do fear one another to a lesser extent, because they find it hard to imagine that another state perceived as "good" will try to harm them. In other words, the more secure a state feels, the more common affinities may matter in an alignment choice. Third, states with a poor domestic legitimacy may seek ideological alignment to enhance external – and domestic – support. However, George Liska warns that alignment with a greater power often costs status and regime

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[22] George Liska, Op. cit., pp. 13 and 26-27; and Stephen Walt, Op. cit., pp. 18-19

[23] Ibid. (Walt), pp. 19-21

[24] Term coined by Hans Morgenthau. Quoted in: Stephen Walt, Op. cit., p. 33

stability rather than conferring it: "[Alignment] seems to curtail full independence rather then preventing mere independence from turning into isolation."[25] Finally, the common ideology itself may simply prescribe an alignment, and thus be less an expression of solidarity than of coercion.[26]

(3): In an alignment determined by dependence, the aligning states are either mutually or asymmetrically dependent. In case of a mutual dependence, states align if both parties believe it is in their interest to do so. They will adapt to their partners' interests. On the other hand, an asymmetrical dependence creates a relation of patron and client and offers the patron leverage over its client. The degree of leverage obtained by the patron is directly related to the rate of asymmetry and to the degree of monopoly that the patron enjoys in the means that creates the dependence. Typically, the dependence is in the first place an economic one. The leverage is enhanced if the patron is capable of politically manipulating the client's dependence; that is, to turn it into a political one.[27]

(4): Finally, in an alignment determined by transnational penetration, the alignment is the result of "the manipulation of one state's domestic political system by another [state]."[28] The penetration may take different forms: Public officials can use their influence to move their country close to another; lobbyists can try to alter the public perceptions and the policy decisions regarding a potential ally; and propaganda can be used to influence elite and mass attitudes in another country. For Stephen Walt, transnational

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[25] George Liska, Op. cit., p. 39

[26] Stephen Walt, Op. cit., pp. 33-40

[27] Ibid., pp. 41-46

[28] Ibid., p. 46

penetration is a cause for alignment in only rare circumstances and is most effective when it merely serves to reinforce other alignment motives.[29]

[29] Ibid., pp. 46-49

## III. BELARUSIAN NATIONAL IDENTITY

### A. ETHNO-CULTURAL PATTERNS

This section will analyze three indicators of Belarusian national identity: (1) Ethnicity, (2) Language and culture, and (3) Historical memory. The more these elements differ from neighboring peoples, the stronger the perception of a distinct identity will be. However, it is not so important that the separateness is objectively true. Rather, it matters that the collective popular mind is convinced of a substantial difference.

For obvious reasons, Belarusian national identity should stand out against Russian influence. Thus, the following subsections will focus on Belarusian-Russian similarities and differences.

#### 1. Ethnicity

Table 1 shows the ethnic composition of the Belarusian population. The data are from official censuses.

| | Ethnic groups in percent of the total population | | | | | |
|---|---|---|---|---|---|---|
| Year | Indigenous | Russians | Poles | Ukrainians | Jews | Others |
| 1897 | 63.5 | 5.9 | 4.9 | 4.5 | 14.2 | 7.0 |
| 1926 | 80.6 | 7.7 | 2.0 | 0.6 | 8.2 | 0.9 |
| 1959 | 81.1 | 8.2 | 6.7 | 1.7 | 1.9 | 0.4 |

Table 1/1. Ethnic composition of Belarus [30]

[30] The data are from: George Sanford, "Belarus on the Road to Nationhood," Survival, Vol. 38, # 1, Spring 1996, p. 1; and Michael Urban and Jan Zaprudnik, "Belarus: a long road to nationhood," in: Ian Bremer and Ray Taras (Eds.), Nations and politics in the Soviet successor states, New York: Cambridge University Press, 1993, pp. 103 and 114

| Year | Ethnic groups in percent of the total population | | | | | |
|---|---|---|---|---|---|---|
| | Indigenous | Russians | Poles | Ukrainians | Jews | Others |
| 1979 | 79.4 | 11.9 | 4.2 | 2.4 | 1.4 | 0.7 |
| 1989 | 77.8 | 13.2 | 4.1 | 2.9 | 1.1 | 0.9 |

Table 1/2. Ethnic composition of Belarus

At first glance, Table 1 demonstrates a comfortable majority of Belarusians, a stability of this majority since the late 1920s, and a substantial distance from the majority to the second most important ethnic group. The last two facts become all the more evident if one compares them with the situation of Belarus's neighbors, reproduced in Table 2.

| Country | Ethnic groups in percent of the population | |
|---|---|---|
| | Indigenous | Russians |
| Poland | 98.7 | NA |
| Lithuania | 79.6 | 9.4 |
| Belarus | 79.4 | 11.9 |
| Ukraine | 72.7 | 22.1 |
| Latvia | 52.0 | 34.0 |
| NA Figure not available | | |

Table 2. Russian minorities in Belarus and its neighbor states in 1995 [31]

[31] The data are from: Freedom House, Nations in Transit – Civil Society, Democracy and Markets in East Central Europe and the Newly Independent States, New York: Freedom House, Inc., 1995, pp. 32, 85, 91, 102, and 138

On the other hand, Table 1 shows the swift increase in size of the Russian minority in the first decades of the 20th century and its constancy thereafter. This reflects the heavy Russification Belarus experienced under late Tsarism and under Communism. For George Stanford, the "official Soviet policy succeeded in creating a multi-ethnic and multilingual Belarusian-Russian mish-mash. (...). [Belarus was] transformed into an intermarried, ethnically and linguistically polyglot population."[32]

One has to remember that, ethno-linguistically, Belarusians, Russians, Ukrainians, and Carpatho-Rusyns form the so-called East Slavic group.[33] The ethnic identity helps the Belarusians to demarcate themselves from the Baltic north and from the Polish west, but not from the Ukrainian south and the Russian east. Ethnically, nothing differentiates Belarusians from Russians. We have seen in the previous chapter that, if racial differences are not decisive, ethnic groups structure around systems of cultural regulation. A wide variety of markers define the *ethnies* both internally and toward the outside world. One of the most important markers is the language. Today's Belarusians view themselves to be ethnically Belarusian if they speak the Belarusian language or one of the many Belarusian *patois*.[34]

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[32] George Sanford, Op. cit., pp. 134 and 137

[33] Paul Magocsi, Historical Atlas of East Central Europe, Seattle: University of Washington Press, 1995, pp. 97-99

[34] George Sanford, Op. cit., p. 138

## 2. Language and Culture

"Language is not only a means of communication, but also the soul of a nation, the foundation and the most important part of its culture."[35] So begins the January 1990 Law on Languages which, for a short period, made Belarusian the only official language of the country.

The Belarusian language is an East Slavic tongue. As stated above, it is closely related to Russian and to Ukrainian. Standard Belarusian uses the Cyrillic alphabet and was codified in the early 1900s on the basis of a dialect spoken in the country's central part. Historically, "Old Belarusian" was the official language of the Grand Duchy of Lithuania of which Belarus was a part until the Polish partitions of the late 1700s.[36] Since the absorption of the Belarusian territory into the Russian Empire, Belarusian has had a hard time to maintain itself. Furthermore, while most Belarusians speak their mother tongue, many of them will not read it. Some are even "ashamed to speak it,"[37] because Belarusian has traditionally been associated with the peasantry. They simply prefer to use Russian, which is perceived to be the area's *lingua franca.*

Table 3. summarizes the status of the Belarusian and the Russian languages throughout the 20th century.

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[35] Quoted in: Jan Zaprudnik and Helen Fedor, "Belarus," in: Helen Fedor (Ed.), Belarus and Moldova – Country studies, Washington, D.C.: Department of the Army, Area handbook series, 1995, p. 33

[36] Alexander Bely, "Belarus: A Real Or Fictious Nation?" History Today, Vol. 47, # 4, 1 April 1997, p. 5

[37] Belarus's former Prime Minister Vyacheslau Kebich in a speech given in January 1993. Quoted in: George Sanford, Op. cit., p. 137

| Era / Date | Status of the Belarusian language | Status of the Russian language |
|---|---|---|
| Pre-1920s | • The Cyrillic script is restricted to Russian. This bans the printing of Belarusian in the only widely comprehensive form<br>• 1897: Belarusian is registered as a distinct language in the first systematic census of the Russian Empire<br>• 1906: The ban on the Belarusian language is lifted. Restrictions on its use remain<br>Belarusian benefits from Lenin's pluralist New Economic Policy<br>• Belarusian is favored over Russian. A flourishing literary life develops (e.g., the foundation of the Institute of Belorussian Culture in 1922 | Official language |
| 1930s to early 1980s | Purge of any Belarusian nationalism | Russian becomes the most widely spoken language |
| Late 1980s | • "Letter of the 28" to Gorbachev in 1986 showing how close Belarusian is to "spiritual extinction"<br>• Linguistic-political awakening under the influence of *glasnost* | |
| January and September 1990 | • The Law on Languages makes Belarusian the country's official language<br>• It commits the government to the restoration of Belarusian in education and public life by the end of the century | Russian becomes the language of inter-ethnic communication |

Table 3/1. Status of the Belarusian and the Russian languages in the 20th century [38]

[38] The data are from: Ekkehardt Kraft, "Differenzierte Sprachenpolitik in den früheren Sowjetre-publiken – Das Russische spielt nach wie vor eine wesentliche Rolle," Neue Zürcher Zeitung, international edition # 24, 30 January 1997, p. 7; Ustina Markus, "The Bilingualism Question in Belarus and Ukraine," Transition, Vol. 2, # 24, 29 November 1996, pp. 18-19 and 64;

| Era / Date | Status of the Belarusian language | Status of the Russian language |
|---|---|---|
| Early 1990s | 11 percent of the Belarusian population is fluent in Belarusian | |
| 1992 | • 17 percent of polled people favor Belarusian as sole official language<br>• 75 percent favor bilingualism | 60 percent of the polled prefer to use Russian in their daily life |
| May 1995 | | A referendum gives Russian back its parity as an official language |
| August 1995 | A presidential decree orders to remove all books published between 1992 and 1995 from schools of higher education | These schools are to return to using books printed in Russia; that is, to books written in Russian |
| April 1997 | | The Charter of the Union of Belarus and Russia states that the working language of the bodies of the Union shall be Russian |
| Today | | President Lukashenko and most governmental officials use solely Russian |

Table 3/2. Status of the Belarusian and the Russian languages in the 20th century

The Table not only shows the difficulty Belarusian has existing beside Russian, but also its struggle to remain a living idiom at all. Hence, being on the defensive, the vernacular language – like ethnicity – is unable to serve as a factor of national identity. .

The active defenders of the Belarusian language gather around Zyanon Paznyak and his political party, the Belarusian Popular Front-Revival (BPF). The Law on Languages was passed in the short-lived spirit of change of the years 1990 and 1991, when BPF enjoyed some support. We will see in subsection B.2., below, that the popular lack

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George Sanford, Op. cit., pp. 133, 134, 137, 144, and 146; and Jan Zaprudnik and Helen Fedor, Op. cit., pp. xxiii and 33-36

of interest in the question of a Belarusian idiom has gone hand in hand with the decrease in BPF's popular support. Some authors view the nationalists as being "romanticists [who] see salvation in preserving the language".[39] It cannot be dismissed that the nationalist Belarusian opposition concentrates on obviously unsuitable linguistic-cultural factors instead of emphasizing other elements that could stress a Belarusian national uniqueness.[40]

In this context, it is interesting to record the attitude of the churches. Traditionally, the Orthodox Church preaches in Russian and the Catholic in Polish. Only the Uniate Church is reputed to use Belarusian in its liturgy. Matters are unlikely to change, as most churchgoers of the two major denominations are Russians and Poles and as Uniate believers represent a modest number. It is thus improbable that an established denomination or a religious movement will take the lead in the revival of Belarusian.[41]

Because today's Belarus is widely urbanized, many fields of culture - film, theater, music, and *beaux-arts* - center on urban or universal concerns. On the other hand, the written Belarusian culture is primarily associated with peasant ways, folklore, and customs. This goes back to the 17th and 18th centuries, when Poland and Russia assimilated the Belarusian nobility into their respective cultures. Rural culture was the starting point for the development of Belarusian literature in the 19th century and in the 1920s. Most

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[39] Alexander Bely, Op. cit., p. 5

[40] BPF's leader Zyanon Paznyak is the archaeologist who has published evidence of the Stalin-era mass graves found in 1988 (see Table 4/2 below). This event has been a strong motivator for national independence. It is likely that Paznyak's operational code centers on areas of the humanities and thus narrows his political way of acting

[41] Christophe von Werdt, "Wo der Osten den Westen trifft - 400 Jahre Union von Brest in der Ukraine und in Weissrussland," Neue Zürcher Zeitung, international edition # 243, 18 October 1996, p. 25

classics of modern Belarusian literature deal with rural themes. This has not really changed for the post-independence authors of the 1990s.[42] If written culture centers on bucolic themes in a mostly urban society, it is unlikely to be widely read. This in turn fails to serve an idiom that is on the defensive.

### 3. Historical Memory

From the three factors examined in this section, the collective historical memory of a people is certainly the most important. Belarus is not the only country to stand out little against a major power with regard to ethnicity, language, and basic culture. For example, other European small states like Austria, Liechtenstein, and – at least in its German speaking part – Switzerland have the same ethnic and linguistic background as the southern *Länder* of Germany.[43] All these states, however, are unique in that they underwent distinct histories. The existence of a post-World War I and post-World War II Austria – or of a *Deutsch Österreich*, as it was called after World War I – was a direct consequence of the paramount importance of the former Austrian Empire in the Europeans' collective memory. It was simply unthinkable to let Austria vanish as a European subject.

After the collapse of Communism, all countries and satellites of the former Empire – to include Russia – were searching for a period in their history that they could use as the starting point to overcome the totalitarian era or with which they could justify their independence. Some of these countries were lucky to be granted with the memory of self-

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[42] Jan Zaprudnik and Helen Fedor, Op. cit., pp. 40-41

[43] See e.g., Jean and André Sellier, Atlas des peuples d'Europe occidentale, Paris (France): Editions La Découverte, 1995, p. 132

confidence promoting a historical 'Golden Age'. This was however not the case for Belarus.

Table 4 shows a synopsis of some of the most important stages of Belarusian pre-independence history.

| Era / Date | Event |
|---|---|
| Late 1200s to late 1700s | Belarus shares its historical experience with Lithuanians, Ukrainians, and Poles in the Grand Duchy of Lithuania and the Polish-Lithuanian Commonwealth, respectively |
| 1772, 1793, 1795 | Russia acquires the Belarusian territory in the three Polish partitions |
| Late 1700s to 1918 | • Administratively, Belarus becomes the Russian North-western Province<br>• The name Belarus is officially banned<br>• A cultural nationalism spreads in the years before World War I |
| December 1917 | • Meeting of an All-Belarusian Congress (*Rada*) to establish a democratic republican government<br>• Bolsheviks disband the assembly during its deliberations |
| March 1918 | The Treaty of Brest-Litovsk puts most of the Belarusian territory under German control |
| 25 March 1918 | • The *Rada* nullifies the Treaty of Brest-Litovsk and proclaims an independent Belarusian Democratic Republic<br>• The Germans guarantee the new state's independence |
| 1 January 1919 | After the collapse of the German Empire in November 1918, the Belorussian Soviet Socialist Republic (BSSR) is established by force of arms |
| March 1921 | The Treaty of Riga divides the Belarusian territory in three parts. The western part becomes Polish, the eastern Russian |
| December 1922 | The BSSR becomes a constituent member of the Soviet Union |

Table 4/1. Synopsis of key dates and events in Belarus's pre-independence history [44]

[44] The data are from: Alexander Bely, Op. cit., pp. 3 and 5-6; Richard Pipes, The Formation of the Soviet Union: Communism and Nationalism, 1917-1923, Cambridge: Harvard University Press, 1955, pp. 7 and 9; George Sanford, Op. cit., pp. 133 and 134; Jan Zaprudnik and Helen

| Era / Date | Event |
|---|---|
| September 1939 | Soviet troops move into the western Polish part of the Belarusian territory |
| June 1941 to Spring 1944 | • Belarus comes under German occupation<br>• Belarusians organize their own administration<br>• 1943: Formation of the Belarusian Central Council (BCC) as a self-governing auxiliary body |
| Summer 1944 to 1980s | • Sweeping Soviet purges after the reoccupation of the country by the Red Army<br>• Intensive Russification to protect Belarus against possible Western influence<br>• 1960s: Intensified cultural cleansing |
| April 1986 and June 1988 | The 1986 Chernobyl catastrophe and the June 1988 discovery of mass graves from the Stalin-era fuel demands for a radical restructuring of Belarus |
| 27 June 1990 | The BSSR's Supreme Soviet adopts a declaration of state sovereignty |
| 25 August 1991 | Following Lithuania, Latvia, and Ukraine, the Supreme Soviet declares the Belarusian independence |

Table 4/2. Synopsis of key dates and events in Belarus's pre-independence history

If one subtracts the medieval period of the Grand Duchy of Lithuania, the Belarusian formative historical record is poor.[45] The 1918 republican independence under German occupation was too short to build any national memory. The proponents of self-government during World War II either went into exile or succumbed to the Soviet purges. Thus, for two hundred years, the Belarusian historical memory was shaped by the

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Fedor, Op. cit., pp. 17-25; and Verlag Ploetz (Ed.), Der grosse Ploetz – Auszug aus der Geschichte von den Anfängen bis zur Gegenwart, Würzburg (Germany): Verlag Ploetz, 1992, pp. 964-65

[45] "Old Belarusian" was the official language of the Grand Duchy. Thus, some Belarusian intellectuals claim Belarus to be the principal spiritual successor of the Grand Duchy. This would actually represent a potent historical memory

perception of belonging to the Russian Empire or to the Soviet Union. Ironically, one could argue that the Belarusian independence was nothing else than a byproduct of the implosion of the Soviet Union and of the swifter declarations of independence of its neighbors. Belarus has actually been a "follower".[46]

*Adradzennie* or Revival, a movement for the restoration of a sense of Belarusian identity, had some success during the immediate post-independence impetus. This proved, however, to be rather ephemeral. Alexander Bely uses the term of "national nihilism" to describe the indifference of the Belarusians for their vernacular language and their history.[47] Seemingly, the "ethnic, linguistic, [and historical] affinities between Russia and Belarus played the most important role"[48] in Belarus's spiritual Russification and in its today's "nostalgia for the Soviet era".[49]

## B. INSTITUTIONS AND POLITICS

Following the implosion of the Soviet Union, several Newly Independent States undertook a more or less successful transition to, and consolidation of, democracy. Though any democratization process is welcome *per se*, the question in the context of this thesis is not whether the Belarusian transition has been successful. Rather, this sec-

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[46] Lithuania repudiated the 1940 "absorption" by the Soviet Union in March 1990; the Soviet Union recognized its independence on 6 September 1991. Latvia declared independence on 21 August 1991; Ukraine did so on 24 August. In: Arthur Banks, Alan Day, and Thomas Muller (Eds.), Political Handbook of the World: 1995-1996, Binghamton: CSA Publications, State University of New York, 1996, pp. 561, 563, and 977

[47] Alexander Bely, Op. cit., p. 4

[48] Vasil Bykau, Belarusian writer, quoted in: Elena Chinyaeva, "Belarus's "National Conscience" On Language, Politics, and Nostalgia," Transition, Vol. 2, # 6, 22 March 1996, p. 56

[49] Ibid., p. 57

tion investigates whether and how Belarusian institutions and politics affect the country's move toward independence or toward an association with Russia.

The section will focus on: (1) The constitutional framework; (2) The division of power in the state's corporate bodies; (3) Political rights and civil liberties; (4) National military independence; and (5) Belarus's foreign relations.

### 1. The Constitutional Framework

A new post-Communist Belarusian Constitution secured legislative approval on 15 March 1994 and entered into force on 30 March of the same year.[50] The document conjures up the "centuries-long history of development of Belarusian statehood,"[51] tasks the "Republic (...) [to] defend its independence [by implementing] an independent foreign policy"[52] and the president of the Republic "to provide the protection of the sovereignty"[53] of the state.

Developments in various Newly Independent States have shown that countries that have completed constitutional reform do not necessarily have a better record in pluralism than states that have not seen the adoption of a new basic law. In this respect, Belarus is no exception. Especially since the amendments to the Constitution after the November 1996 referendum, the Belarusian basic law grants enormous power to the presi-

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[50] The legislative approval was given by the Supreme Soviet elected in spring 1990 under Soviet election rules

[51] N.N., Constitution of the Republic of Belarus, N.P.: N.N. (Xeroxed document), 27 November 1996, provided by the Embassy of the Republic of Belarus to the United States, p. 1, preamble

[52] Ibid., p. 1, Article 1

[53] Ibid., p. 10, Article 79

dent of the Republic.[54] Hence, "the preservation of the [state] sovereignty" quoted above rests mainly on the president's personality and politics. It is well known that President Lukashenko strives for close ties between Belarus and Russia. Constitutionally, this course is backed by an article that foresees that the "Republic of Belarus in conformity with principles of international law may on a voluntary basis enter interstate formations and withdraw from them."[55] In addition, the Constitution grants the president the sole right "to conduct negotiations and sign international treaties."[56]

It must again be stressed that the nature of the Belarusian regime is not to be assessed here. Rather, the following subsection will determine how well state officials take care of the "Republic's independence and sovereignty". Then, it will investigate how well – institutionally – the Belarusian national movement is able to promote its beliefs. Finally, it records the amount of popular support – expressed as voter share – of the nationalists.

### 2. The State's Corporate Bodies

Article 6 of the Constitution states that "state power in the Republic of Belarus is exercised on the principle of division of powers between the legislature, executive, and judiciary. State bodies (...) shall co-operate among themselves acting on the principle of checks and balances."[57] This is pure window dressing since the very same Constitution

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[54] For a complete listing of the presidential prerogatives, see: Ibid., Chapter 3 "The President of the Republic of Belarus", pp. 10-13, Articles 79 to 89

[55] Ibid., p. 2, Article 8

[56] Ibid., p. 11, Article $84^{20}$

[57] Ibid., p. 1, Article 6

allows the executive to heavily interfere with the two other branches of power. Since the November 1996 referendum, the president appoints directly eight of 68 members of the Council of the Republic (the parliament's upper chamber), has the right to dissolve either chamber of the parliament, appoints six of nine members of the Constitutional Court, including its chairperson, appoints the judges of the Supreme and the Economic Courts, including their chairpersons, and has the right to dismiss the chairpersons and the judges of any of the three courts.[58] In addition, the president can bypass the Legislature by issuing decrees and by calling national referenda on "important issues of the State and society."[59] A decision adopted by a referendum can only be reversed or amended by another referendum.[60] It is obvious that these provisions neutralize any checks and balances and deliver the state to the executive.

It has been stated in the previous section that the Belarusian national movement rests mainly on the BPF party. In this respect, it is interesting to look at BPF's election results. Table 5 summarizes the 1990 and 1995 legislative elections.

BPF won 34 (or 37) seats against an overwhelming Communist majority in the 1990 elections. This was considered to be an astounding success and lent wings to the movement. The 1995 elections were disappointing. Having opposed the government's policy of close alignment with Russia, BPF failed to win representation.

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[58] The appointments of the chairpersons of the three courts and the nomination of the judges of the Supreme and Economic Courts require the consent of the Council of the Republic. See: Ibid., pp. 11 and 13, Articles 84 and 91

[59] Ibid., pp. 9 and 11, Articles 73 and 85

[60] Ibid., p. 9, Article 77

| Total seats | Date | Elected candi-dates | Seats per political party | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | CPB | BPF | APB | PPA | Others | Indep. | ND |
| 360 | 03./04. 1990 | | 288 | 34 (37?) | | | | | 38 (35?) |
| 260 | 05.14. 1995 | 18 | 3 | 0 | 5 | 10 | 0 | 0 | 0 |
| | 05.28. 1995 | 101 | 24 | 0 | 25 | 2 | 6 | 44 | 0 |
| | 11.29. 1995 | 20 | 15 | 0 | 3 | 6 | 1 | 41 | 4 |
| | 12.10. 1995 | 59 | | | | | | | |

| | | | |
|---|---|---|---|
| CPB | Communist Party (of Belarus) [1] | PPA | Party of Popular Accord |
| BPF | Belarusian Popular Front Revival | Indep. | Independents; no party affiliation |
| APB | Agrarian Party of Belarus | ND | Not determinable |

[1] The Soviet-era Communist Party was suspended after the declaration of independence. It was re-legalized as Communist Party of Belarus in February 1993

Table 5. Results of the 1990 and 1995 legislative elections to the unicameral Supreme Soviet and Council, respectively [61]

Table 6 shows the results of the 1994 presidential elections. The score of BPF's candidate was disappointing. Zyanon Paznyak reached 14 percent in the first ballot and was eliminated from the second ballot.

[61] Numbers vary according to the sources (e.g., the number of BPF seats in the 1990 parliament). The data are from: Arthur Banks, Alan Day, Thomas Muller (Eds.), Op. cit., pp. 83-85; Freedom House, Op. cit., p. 32; Ustina Markus, "A New Parliament, Despite the President," Transition, Vol. 2, # 1, 12 January 1996, pp. 62-63; and George Sanford, Op. cit., p. 147

| Date | Vote share of the candidates (percent) | | | | | |
|---|---|---|---|---|---|---|
| | A. Lukashenko, BPR | V. Kebich, PMB | Z. Paznyak, BPF | S. Shushkevich, BSDP | A. Dubko, BPP | V. Novikov, CPB |
| 23 June | 44.8 | 17.3 | 13.9 | 9.9 | 6.2 | 4.6 |
| 10 July | 80 | 20 | | | | |

BPR Belarusian Patriotic Movement
PMB Popular Movement of Belarus
BPF Belarusian Popular Front Revival
BSDP Belarusian Social Democratic Party
BPP Belarusian Peasant's Party
CPB Communist Party of Belarus

Table 6. Results of the 1994 presidential elections [62]

While the parties that support national independence or reforms won about ten percent of the seats in the 1990 Supreme Council [63], they scored 30 percent in the first ballot of the 1994 presidential elections.[64] In the elections to the 1995 Supreme Council, they occupied roughly seven percent of the seats.[65]

Until recently, the great unknown in the Belarusian political landscape at the Republic level was the large number of so-called 'independent' deputies with no party af-

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[62] Numbers vary according to the sources. The total of the first ballot vote shares accounts to less than 100 percent. Data are from: George Sanford, Op. cit., p. 145

[63] That is, the 34 (or 37) seats of BPF

[64] That is, the vote shares of Z. Paznyak from BPF, S. Shuskevich from BSDP and A. Dubko from BPP. The Belarusian Social Democratic Party (BSDP) was founded 1991. It sees itself as a revival of the revolutionary *Hramada* party which was founded in 1902, pushed for the 1918 creation of an independent state, and was outlawed after the creation of the BSSR in 1919. The Belarusian Peasant's Party (BPP) was founded 1990. It aims at the restoration of peasant land ownership. It is loosely associated with BPF. See: Arthur Banks, Alan Day, Thomas Muller (Eds.), Op. cit., p. 84

[65] That is, those of the Party of Popular Accord (PPA). The technocratic PPA stands for economic reforms. It is independent of the reformists' alliance but backed the presidential BPF candidate in 1994. See: Ibid.

filiation (see Table 5 above). Thus, the real political weight of the nationalists was difficult to assess, too. Yet, the constitutional amendments after the November 1996 referendum have completely changed the scene. One of the propositions called for reducing the number of deputies and transforming the unicameral Supreme Council in a bicameral National Assembly. This transformation occurred within days after the referendum. The organization of the Assembly is shown in Table 7.

| Chamber | Seats | Speaker | Election / Appointment mode |
|---|---|---|---|
| House of Representatives (Lower House)<br>First session convened on 28 November 1996 | 110 | Pavel Shypuk [1] | • Chosen among the deputies of the former Supreme Council<br>• A new electoral law is pending |
| Council of the Republic (Upper House)<br>First session convened on 11 January 1997 | 68 | Anatoly Malofeyev | • 60 councilors are elected from regional and city councils' deputies<br>• 8 councilors are nominated by the president |
| [1] Former leader of the Belorussian Communist Party and former member of the *politburo* of the Communist Party of the Soviet Union | | | |

Table 7. The formation of a bicameral National Assembly in November 1996 [66]

The party composition of the two chambers is unknown.[67] One has however to assume that the deputies chosen to sit in the Assembly are compliant with President Lu-

[66] Personal communication from the Embassy of the Republic of Belarus to the United States, 14 February 1997

[67] "No data as to the seats per political parties in the National Assembly is available." Personal communication from the Embassy of the Republic of Belarus to the United States, 14 February 1997

kashenko's will.[68] So, for example, 60 deputies of the former Supreme Council who are not members of the new Assembly regularly meet as a sign of silent protest against their removal from the Legislature.[69] Hence, for the near future, any legislative resistance to the political course has been muzzled and the nationalist opposition is no longer able to influence the country's legislation and official political life at the Republic level.

In the prelude to the November 1996 referendum, the quarrel between the president and the Constitutional Council became obvious. The council charged Lukashenko with anti-constitutional behavior in not less than 17 cases. The council's president, Valeryi Tikhinya, openly accused the president of attempting "to establish a totalitarian regime with all its attributes: an emasculated Parliament and a Constitutional Council put in the president's pocket."[70] Furthermore, he warned against a "legal Chernobyl." The constitutional amendments following the latest referendum granted President Lukashenko the right to appoint the Constitutional Council's chairperson. Tikhinya was removed from office on the spot and replaced by Grigory Vasilevich.[71] In addition, five of the 11 Constitutional Court justices resigned. This opened the way for Lukashenko to appoint his

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[68] *eg.*, "Gefestigte Position Lukaschenkos in Minsk," Neue Zürcher Zeitung, international edition # 279, 29 November 1996, p. 3

[69] *eg.*, "Verhaftungen bei Demonstrationen in Minsk – Warnungen Washingtons an das Lukaschenko-Regime," Neue Zürcher Zeitung, international edition # 63, 17 March 1997, p. 2

[70] Quoted in: *wdn.*, "Lukaschenkos Intrigen gegen das Parlament," Neue Zürcher Zeitung, international edition # 240, 15 October 1996, p. 2

[71] *eg.*, "Friedhofsruhe mit Störungen in Weissrussland – Schikanierung der Opposition und zahlreiche Entlassungen," Neue Zürcher Zeitung, international edition # 49, 28 February 1997, p. 5; and personal communication from the Embassy of the Republic of Belarus to the United States, 6 March 1997

own people to the court.[72] Thus, despite the existence of a formal Belarusian constitutionalism, one cannot assume any more that there is an official body that monitors the constitutionality of the bills passed by the new Legislature or of the presidential decrees. This merely adds another element of arbitrariness and unpredictability to Belarusian politics.

### 3. Political Rights and Civil Liberties

National identity is not only nurtured by abstract factors like historical memory. Rather, for the average citizen, personal rights and liberties and personal inviolability are more important. If they are perceived to be favorable, they certainly foster his support and 'affection' for the state. Table 8 summarizes the Belarusian status of some political rights and civil liberties.

| Criterion | Positive areas | Negative areas |
|---|---|---|
| Human Rights | Section II of the Constitution is an impressive Bill of Rights. It guarantees all of the rights and freedoms contained in the Universal Declaration of Human Rights | Bureaucratic resistance to religion in general and toward the major churches and the Jewish community in particular |
| Political Rights | Belarusian citizens vote at the age of 18 and are eligible at the age of 21 | |

Table 8/1. Survey of the status of some Belarusian political rights and civil liberties [73]

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[72] Ustina Markus, "Belarus Chooses Dictatorship," Transition, Vol. 3, # 2, 7 February 1997, p. 27

[73] The data of the table are gathered from: Freedom House, Op. cit., pp. 5, 8, and 33-37; Bruno Henggi, "Dürftige weissrussische Presselandschaft," Neue Zürcher Zeitung, international edition # 117, 22 May 1996, p. 9; and Ustina Markus, "Belarusian Media Struggle Under Authoritarian Rule," Transition, Vol. 2, # 21, 18 October 1996, pp. 57-59 and 80

| Criterion | Positive areas | Negative areas |
|---|---|---|
| Rule of Law | • The courts of the three-tiered judicial system are not directly linked to the Ministry of Justice<br>• The state provides free public defenders | • The reform of the Criminal Code is still underway<br>• The Ministry of Justice provides the courts with technical and financial assistance<br>• The judges are influenced by the political leadership, especially in rural areas<br>• Only one third of all lawyers are in private practice (1994) |
| Local Self-Government | • Articles 117 and 118 of the Constitution grant local government and read that local councils of deputies shall be popularly elected<br>• Article 122 grants local jurisdiction<br>• Article 121 defines local budgets, taxes, and dues as being the competence of the local councils of deputies | Article 119 of the Constitution gives the president of the Republic the right to appoint and to dismiss the heads of local executive and administrative bodies |
| Private Property and Private Sector | • Article 13 of the Constitution guarantees private property<br>• A law on the privatization of state assets has been passed | • The same Article 13 of the Constitution lays down that arable land is state property<br>• Only 10 percent of the arable land is leased or privately owned (1994)<br>• Only 5 to 10 percent of the GDP are generated by the private sector (Belarus ranks last from all Newly Independent States and Central European former Soviet satellites) |

Table 8/2. Survey of the status of some Belarusian political rights and civil liberties

| Criterion | Positive areas | Negative areas |
|---|---|---|
| Private Property and Private Sector (Cont.) | | • Less than 14 percent of state property have been privatized (1996)<br>• In the November 1996 referendum, the electors turned down the question on the proposition on private land property |
| Trade Unions | • There are two free trade unions, the Free Trade Union of Belarus (SPB) and the Belarusian Independent Trade Union (BNP)<br>• Their total membership amounts 25,000 (1994) | • The Federation of Trade Unions of Belarus (FTUB), a former branch of the Soviet All-Union Central Council of Trade Unions, claims five million members<br>• FTUB represents 90 percent of the unionized workers<br>• Together with Georgia and Uzbekistan, Belarus shows the least percentage of workers belonging to new unions |
| Media | • Article 33 of the Constitution guarantees free expression and forbids the monopolization of the mass media or censorship either by the state, public associations or individuals<br>• The Russian NTV television is well received in Belarus and reports regularly on Belarusian subjects | • A presidential decree of March 1995 On Cases of Legal Violations of Mass Media created a supervisory council to monitor the media<br>• Radio Minsk, Belarus Television and the *Belta* news agency are under state control<br>• The *Sowjetskaja Belarussija* (circulation 200,000) and the *Narodnaja Gaseta* (circulation 300,000) are under state power and subsidized with state funds |

Table 8/3. Survey of the status of some Belarusian political rights and civil liberties

| Criterion | Positive areas | Negative areas |
|---|---|---|
| Media (Cont.) | | • The opposition weekly *Swaboda* (circulation 100,000) has to be printed in Vilnius. The power refuses it printing capacities |

Table 8/4. Synoptic survey of the status of some political rights and civil liberties

While there is good evidence that the Belarusian experiences personal freedom, formal democratic political rights, and a fair jurisdiction, the record for the other criteria is less favorable. At the local level, the citizen may meet the same arbitrariness in political and administrative matters as on the Republic level. Access to property is not easy. Though not really restricted, access to free or uncensored media is difficult. The only liberty that Belarusians do not take advantage of, is the membership in free unions. This is symptomatic of the general popular apathy that will be further investigated in the following section below.

### 4. National Military Independence

State sovereignty is intimately associated with military independence. After the implosion of the Soviet Union, one of the main concerns of the Newly Independent States was to get rid of Soviet troops and military assets stationed on their soil, to assume the control of their borders, to build up indigenous armed and police forces, and - where necessary - to de-Russify the officer corps. This extrication process proved to be extremely difficult.

In the context of the Soviet offensive military doctrine, the conventional forces were designed to invade Europe. Thus, Belarus's geostrategic position made it the gateway to the West. The country was highly militarized. The 243,000 Soviet troops stationed in Belarus accounted for one soldier for every 43 of its population, compared to one per 98 in Ukraine and one per 634 in Russia. In addition, the country hosted 23 nuclear-missile bases and a total of 81 intercontinental SS-25 ballistic missiles.[74]

The July 1990 declaration of state sovereignty theoretically gave the Supreme Soviet control over all foreign armed forces based on Belarusian territory. The August 1991 declaration of independence and Article 18 of the Constitution commits the country to become neutral and nuclear-free. So far, however, Belarus has not formulated a new national security strategy or any kind of binding schedule for the steps to be taken in the security sphere.[75] Nevertheless, regarding national military independence, the concrete achievements are substantial though not free from contradiction.

In May 1992, Belarus abolished the Belarusian Military District and subordinated all troops on its soil to its own Ministry of Defense. The same month, Belarus became party to the Lisbon Protocol to the Nuclear Nonproliferation Treaty (NPT) which laid down the procedure for returning its strategic nuclear missiles to Russia. Still in May 1992, it refused to sign the Commonwealth of Independent States' (CIS) Treaty on Col-

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[74] George Sanford, Op. cit., pp. 141-42

[75] Anatolii Rozanov mentions a document on Belarusian military doctrine adopted by the Supreme Soviet in December 1992 but never published *in extenso*. The author views the document to be "only an interim statement." He warns not "to overestimate [the paper's] significance and real meaning." See: Anatolii Rozanov, "Belarusian Perspectives on National Security and Belarusian Military Policy," in: Bruce Parrott (Ed.), State-Building and Military Power in Russia and the New States of Eurasia, Armonk: M.E. Sharpe, Inc., 1995, p. 199

lective Security, arguing that unattached armed forces were essential to maintaining the country's independence.[76]

The Belarusian armed forces officially came into existence on 1 January 1993. Since then the ground forces have been reduced to about 50,000 and the air force personnel to 16,000. At the end of 1992, ethnic Russians accounted for nearly half the Belarusian conscripts and some 80 percent of the officer corps. Today's ethnic composition of the Belarusian forces is unknown. It is however likely that the substantial drawdown has gone hand in hand with a de-Russification.[77]

Belarus started to assume control over its borders in early 1993. Customs-posts on the borders of Latvia, Lithuania, and Ukraine were established by mid-1993. The density of guards on the Polish frontier was decreased by about one half compared to Soviet times. However, it was assumed that guards on the border with Russia would be seen as provocative. The border guards are under the control of the Ministry of Internal Affairs.[78]

In February 1993, the Supreme Soviet ratified the Strategic Arms Reduction Treaty (START I) and approved adherence to the NPT. By mid-1993, all tactical nuclear weapons were removed from Belarus.[79] Since the CIS Charter adopted in January 1993 confirmed the sovereign equality of its members and its lack of supranational power, the Belarusian Supreme Soviet decided to accede to the CIS Treaty on Collective Security -

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[76] George Sanford, Op. cit., p. 142; and Jan Zaprudnik and Helen Fedor, Op. cit., pp. 83 and 87-88

[77] Jan Zaprudnik and Helen Fedor, Op. cit., p. 83

[78] George Sanford, Op. cit., p. 141

[79] Jan Zaprudnik and Helen Fedor, Op. cit., p. 87. George Sanford Op.cit., p. 142, dates the final removal to July 1992

despite the official negative position in 1992 - with the restriction that Belarusian troops would never serve beyond the Republic's borders.[80] Belarus is member of the North Atlantic Cooperation Council (NACC) and joined the Partnership for Peace (PfP) program in January 1995.

Finally, it seems that Belarus became a nuclear-free state by the end of 1996. The Russian defense minister, General Pavel Grachev, attended a ceremony at Lida on 26 November to solemnly conclude the handing-over of the last 11 strategic SS-25 missiles to Russia.[81]

### 5. Foreign Relations

The United States recognized Belarus on 26 December 1991.[82] The independent country established itself on the international scene quite quickly. By the end of 1992, about 100 countries had recognized Belarus and 70 of them had established some level of diplomatic relations with it. Belarus in turn set up some 30 embassies abroad. By 1995, Belarus was member of a number of international organizations, including the United Nations (of which it was a founding member), the World Bank, the International Monetary Fund (IMF), the CIS (also of which it was a founding member), the Organization for Security and Cooperation in Europe (OSCE, formerly CSCE), and the European Bank for

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[80] Anatolii Rozanov, Op. cit., pp. 196-97

[81] *eg.*, "Kritische Töne über Lukaschenko in Moskau," Neue Zürcher Zeitung, international edition # 271, 20 November 1996, p. 5; and *eg.*, Op. cit. (reference 68), p. 3

[82] Switzerland did so on 23 December 1991

Reconstruction and Development (EBRD).[83] It has been stated above that Belarus is a NACC member and that it has joined PfP.

### *a. The West*

The West has favorably yet not uncritically supported Belarus until recently. The worsening of the human rights situation and the regime's authoritarianism however have gradually cooled off the West's sympathy toward Belarus.

In 1993, in addition to a previously-granted sum of $11 million, the United States offered $ 65 million in aid and technical assistance following the Belarusian ratification of START I and the NPT.[84] Since 1995, however, the American-Belarusian relations have cooled off and reached a temporary low this spring. On 14 March 1997, a spokesman of the US State Department connected the American attitude toward Belarus with the "Belarusian behavior and the way the state does treat its citizens".[85] He further declared that though the number of US embassy personal in Minsk would remain unchanged, "the diplomatic relations [between the two countries] would be lowered to an absolute minimum."[86] On 24 March, Belarus declared Serge Alexandrow, First Secretary of the US Embassy in Minsk, *persona non grata* for having attended one of the Belarusian opposition's protest rallies. The measure came only days after the expulsion of Peter Byrnes, the American manager of the Soros Foundation and the search of the founda-

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[83] To name the most importants. An exhaustive list is given in: Central Intelligence Agency, World Factbook 1995, Washington, D.C.: Government Printing Office, 1995, p. 40

[84] Anatolii Rozanov, Op. cit., p. 195. Jan Zaprudnik and Helen Fedor, Op. cit., p. 80 indicate 8.3 million and 100 million dollars, respectively

[85] Quoted in: *eg.*, Op. cit. (reference 69), p. 2

[86] Ibid.

tion's office. Meanwhile, the United States has frozen its $ 40 million in financial aid for 1997.[87]

Relations with the Western European states follow more or less the same pattern. After a period of ostensible good will, the relations with Belarus worsened because of the reasons mentioned above. So, for example, Switzerland granted Belarus 12.3 million francs foreign aid for medical and environmental projects between 1994 and 1996. In addition, this country created a 20 million francs fund for export crediting. In December 1996, however, Switzerland decided to phase out the current aid and not to enter new engagements toward Belarus until further notice.[88] On various occasions, the European Union (EU) has discreetly but unmistakably expressed its unease with the Belarusian state of affairs. On 17 October 1996, the ambassadors of France, Germany, Italy, and the United Kingdom handed over a note to the Belarusian Foreign Ministry directed against President Lukashenko's dictatorial endeavor.[89] The Council of Europe declares Belarus to be ineligible for membership because of democratic shortcomings. Following the November 1996 referendum that it sees to lack any legitimacy, the Council recently froze Belarus's status as "special guest" granted in November 1992.[90] At the Lisbon OSCE summit in December 1996, President Lukashenko was snubbed by all European

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[87] *wdn.*, "Minsk weist weiteren amerikanischen Bürger aus – Lukaschenko wittert ausländische Verschwörungen," Neue Zürcher Zeitung, international edition # 70, 25 March 1997, p. 3

[88] Personal communication from the Swiss Federal Office for Foreign Trade, section of Financial Aid to the CIS Countries (*Bundesamt für Aussenwirtschaft, Sektion Finanzhilfe für GUS-Staaten*), 10 March 1997

[89] *wdn.*, "Protestnote der EU gegen Lukaschenko," Neue Zürcher Zeitung, international edition # 243, 18 October 1996, p. 7

[90] *uth.*, "Sanktion des Europarats gegen Weissrussland," Neue Zürcher Zeitung, international edition # 11, 15 January 1997, p. 7

leaders, with the exception of Russian Prime Minister Chernomyrdin.[91] By the end of 1996, the European Parliament condemned the Belarusian regime and proposed a suspension of all EU aid except for projects committed to the promotion of democracy and the freedom of the press.[92] Finally, Germany recently cut the 1997 Belarusian amount of its Hermes Fund for export crediting.[93]

The consequence of these mutual measures is obvious. It contributes to the sealing off of Belarus from the West and the reduction of this country's options for its international reorientation, while pushing it into Moscow's arms. It is thus no surprise that President Lukashenko misuses his difficulties with the Western countries to portray a vague conspiracy aimed at deposing him and at ruining the Belarusian economy. Remindful of old Soviet paranoia, the conspiracy's wirepullers are said to be – in a strange jumble – the American CIA, the World Bank, the IMF, Polish, Ukrainian and Belarusian civic action groups, and the Russian television networks.[94]

### *b. The Neighbors*

Regarding Belarus's attitude toward national independence, the country's relation to its eastern neighbor, Russia, is of paramount importance. This relationship will be portrayed in Chapter IV below. This subsection deals with Belarus's other direct neighbors.

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[91] Vadim Dubnov, "The Summit of Lukashenko's Ambition – The Belorussian experiment of Alexander Lukashenko: The building of the Soviet Union in a separately taken country," New Times, January 1997, p. 45

[92] Ustina Markus, Op. cit. (reference 72), p. 28

[93] *wdn.*, Op. cit. (reference 87), p. 3

[94] Ibid.

The relations with Latvia are serene. The border is unchanged from that established in 1940 and free of controversy. The two countries have signed a number of agreements, including one that implies the respect of the mutual minorities.[95]

The immediate post-independence attitude of Belarus toward Lithuania was unhappy. The country claimed a strip of Lithuanian territory, including the capital, Vilnius. The quarrel was settled when the two countries signed a border agreement in December 1991. Thereafter, the unmarked border between the two states was demarcated to prevent any further disputes. In February 1995, the two countries signed a friendship and cooperation treaty.[96]

Polish-Belarusian relations have traditionally been free of problems. In neither country are the large minorities of the other's ethnic group a problem. The two states signed a friendship and cooperation treaty in June 1992. In May 1996, however, the good understanding between the two countries suffered. Four leading members of Poland's Solidarity Union were arrested for addressing Belarusian workers outside of Minsk (see Table 11 below). They were detained several hours after their arrest, and one of them, Solidarity leader Marian Krzaklewski, was taken to court for interference in Belarus's internal affairs.[97]

Belarus and Ukraine are on good terms but the ties between the two countries are weak because of their opposite views of, and relations with, Russia. Ukraine strives a resolute course for political and military independence and for close ties with the

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[95] Jan Zaprudnik and Helen Fedor, Op. cit., p. 80

[96] Ibid., p. 82

[97] Ustina Markus, Op. cit. (reference 72), p. 28

West. Often, when differences with Russia occur, the one country takes a position in opposition to that of the other. The most important issue between the two countries is the Chernobyl power plant. Belarus suffered more than any other country from the 1986 catastrophe. Thus, it has a strong interest in the definite shutdown of the plant and has been annoyed by the Ukrainian decision to keep it running. As for Poland, Belarusian-Ukrainian relations became strained in May 1996 after the Minsk Chernobyl rally (see Table 11 below). Among those arrested, there were seven Ukrainians. Despite Kiev's mediation, the seven were sentenced and imprisoned.[98]

All in all, the record shows unproblematic foreign relations. The ties between Belarus and its neighbors are loose, however. The Baltic States and Ukraine decisively aim at a Western integration, and thus have little sympathy with Belarus's opposite goal. Furthermore, as stated in the Introduction, Belarus's neighbors would perceive a Belarusian-Russian unification as a threat to their sovereign independence. Thus, they carefully watch the relations of Belarus to its former hegemon and react with some irritation to the intermittent heralding of plans for a merger of the two East-Slavic states.

## C. THE ATTITUDE OF THE BELARUSIANS

Actors are more important than factors. In other words, the attitude of people towards an issue is key for its outcome. The following section investigates the stance of the Belarusians on the country's total independence. To come to the point, the Belarusians's indifference, profound conservatism, and their nostalgia for pre-independence conditions is probably the weakest motivator on the country's road to nationhood.

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[98] Ibid.

### 1. The Elites

According to Michael Burton *et al.*, elites are persons who regularly and substantially affect political outcomes. Elites are not a specific strata of society - for instance the intelligentsia - but rather, the principal decisionmakers in the "largest or most resource-rich political, governmental, economic, military, professional, communications, and cultural organizations and movements in a society."[99] Thus, in a pluralistic society, elites are located both within, and in opposition to, a regime.

The character and the goals of the elites in an immediate post-independence period are important in determining how, and at what speed, national sovereignty will be asserted. The Belarusian problem is that in most spheres of public life the old Soviet elites have not been ousted. They are very hesitant to commit themselves to the idea of national independence and continue to see the country's future in the framework of Russian-dominated arrangements.

We have seen in section B.2. above, that, politically, the opposition has been muzzled. BPF and other reformist movements are no longer able to "regularly and substantially" affect political outcomes. In spring 1996, President Lukashenko issued an arrest warrant for Zyanon Paznyak, and for BPF's spokesman, Syarhei Naumchyk. The two opposition leaders went first into hiding. Later, they fled the country, made their way to the United States and were granted political asylum in July.[100] More recently, BPF's dep-

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[99] Michael Burton, Richard Gunther, and John Higley, "Introduction: Elite Transformations and Democratic Regimes," in: John Higley and Richard Gunther (Eds.), Elites and Democratic Consolidation in Latin America and Southern Europe, New York: Cambridge University Press, 1992, p. 8

[100] Ustina Markus, Op. cit., (reference 72), p. 28

uty chairman, Yuri Khodyko, has been arrested and condemned to five days of imprisonment after the protest rally of 15 March 1997.[101]

Another phenomenon is that more and more members of the ruling elite close to the president are resigning, joining the opposition or going into exile. So, for example, Prime Minister Mikhail Chigir and Labor Minister Aleksandr Sesnow resigned on 18 November 1996 to express their discontent with the presidential referendum. They both joined the opposition.[102] In March 1997, Boris Barichin and Alexandr Burikow, two confidants of President Lukashenko and members of his 1994-election campaign team, asked for political asylum in Russia.[103] Hence, the inner power circle at the republic level gradually shrinks to a group of persons completely in line with the stance of the president.

Because of its quasi-dictatorial power and the step-by-step elimination of the opposition, much rests on the personality of President Lukashenko. The former director of a *kolkhoz* is a dubious figure. Lukashenko has a flair for reading the moods of the man of the street. Though challenged by a minority, he is Belarus's most popular politician and primarily an answer to the Belarusians' nostalgic post-Soviet complexes. His populism – "a peculiar charisma made of joviality and provincial arrogance"[104] – lacks any reasoned

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[101] *eg.*, Op. cit. (reference 69), p. 2

[102] *eg.*, "Regierungschef in Minsk bietet Rücktritt an," Neue Zürcher Zeitung, international edition # 270, 19 November 1996, p. 2

[103] *wdn.*, "Kritik der Opposition in Minsk an Lukashenko," Neue Zürcher Zeitung, international edition # 72, 27 March 1997, p. 2

[104] *R.M.*, "Zwischen Lenin und Lukaschenko in Minsk – Weissrusslands Präsident ist nur von Moskau zu beeindrucken," Neue Zürcher Zeitung, international edition # 274, 23 November 1996, p. 11

strategy. Rather, he acts impulsively and with volatility. As we know, the idea to formally unite Belarus and Russia was initiated by Lukashenko. Yet, his real posture towards a union with Russia is unclear. While for some commentators there is no doubt that the Belarusian president aims at a complete reintegration of his country into the Russian Federation, others view his behavior to be pure rhetorical opportunism.[105]

We have seen above that the latest amendments to the Constitution and the transformation of the Legislature have created an elite at the republic level that is compliant with the president's will. Through the so-called "presidential or executive vertical" the president has a strong hold on the local elites, too.[106] It has been stated in section B.3. above, that the president has the right to appoint and to dismiss the heads of local executive and administrative bodies. Recent data on the stance of local politicians is scarce. A 1995 review published by two Belarusian sociologists presents findings that have been gathered between 1991 and 1993. The average interviewed politician in that study had worked in the local political power structure for 15 years and held his current position for 7.3 years. The initial survey was repeated after two years. Results are only from incumbents who could be interviewed twice. Though not dealing with the question of state in-

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[105] Some facts should not be forgotten: In 1991, Lukashenko was among the 18 deputies of the Belarusian Supreme Soviet to vote against the liquidation of the Soviet Union. After his election to the presidency in 1994, he proclaimed union with Russia the strategic aim of his policy. In spring 1995, he launched a referendum that – among other questions – asked for an 'Economic Integration with Russia'. In 1996, he was the sole CIS president to refuse to back Yeltsin in the run-up to the first round of the Russian presidential elections. In: Vadim Dubnov, "Lukashenko: Hell-Bent on Increasing His Powers," New Times, December 1996, p. 39

[106] Vadim Dubnov, Op. cit. (reference 91), p. 44; and *eg.*, "Weissrusslands Präsident am längeren Hebel – Trotz gesunkener Beliebtheit noch immer populär," Neue Zürcher Zeitung, international edition # 270, 19 November 1996, p. 9

dependence, some answers reveal the local elites' fundamental stance. They are reproduced in Table 9.

| Year | Importance of a given value (Score can range from +5.0 to –5.0) | | | | | |
|---|---|---|---|---|---|---|
| | Political equality | Political participation | Localism | Economic equality | Capitalism | Economic development |
| 1991 | -2.3 | -2.6 | 2.3 | 0 | -0.2 | 4.7 |
| 1993 | -2.5 | -2.6 | 2.6 | 0.1 | 0.1 | 4.8 |
| A positive score means acceptance. A negative score means rejection. A score of zero shows indifference | | | | | | |

Table 9. Importance of some values for Belarusian local elites [107]

Elites who reject "equality" are not on the way to democracy. Leaders who reject "political participation" and support "localism" in a half-hearted way are certainly not inclined to back self-responsibility, which is a prerequisite for national independence. On the other hand, the strong support for "economic development" – in however a non-capitalistic way – is symptomatic. Independence shall provide a better material standard of living without changing the rules of the game. If this is not achievable one appeals either to an allegedly strong leader or to the traditional "big brother" for help.

[107] The data are rearranged from: Jane Grichtchenko and A. Gristanov, "The Local Political Elite in the Democratic Transformation of Belarus," The Annals of the American Academy of Political and Social Science, Vol. 540, July 1995, pp. 121-24

## 2. The people

The attitude of the Belarusian people, especially the one expressed at the ballot box, is clear-cut. The vast majority is conservative, while a minority challenges the *status quo*.

Since 1991, Belarusians have been repeatedly called to express their will and preferences by voting. Usually, the turnout was high enough to view the results as the manifestation of a broad popular consensus.[108] The results of these popular consultations are summarized in Table 10.

| Date | Issue | Turnout (%) | Approval (%) | Disapproval (%) |
|---|---|---|---|---|
| March 1991 | All-Union referendum on the preservation of the Soviet Union | NA | 83 | |
| 14 May 1995 | Referendum on<br>• increased presidential prerogatives, including the right to dissolve the Supreme Soviet | 64.7 | 77.7 | |
| NA Figure not available | | | | |

Table 10/1. The attitude of the Belarusian people at the ballot box [109]

[108] It should however be stated that the lawfulness of at least the 23 November 1996 referendum is questionable. Two weeks before the referendum, President Lukashenko fired Viktor Hanchar, chairman of the Central Electoral Commission. The president set up his own regional commissions to oversee the poll, while ignoring the official commission. The polling stations were open since 9 November; that is, for more than two weeks. Some of them did not even have the text of the referenda questions. Rather, they displayed samples of ballot papers showing how to vote 'for' the president and 'against' the Supreme Council. The OSCE refused to send observers to monitor the referendum to avoid lending legitimacy to the poll. See: Vadim Dubnov, Op. cit. (reference 91), p. 44; and Ustina Markus, "A War of Referenda in Belarus," Transition, Vol. 2, # 25, 13 December 1996, p. 15

[109] The data are from: *eg.*, "Referendum in Weissrussland abgehalten," Neue Zürcher Zeitung, international edition # 275, 25 November 1996, p. 1; *eg.*, "Dubioser Sieg Lukaschenkos in Weissrussland," Neue Zürcher Zeitung, international edition # 276, 26 November 1996, p. 1; and

has signed a number of bilateral agreements. For example, the two countries entered a Custom Union in June 1995.

The basic problem with the integration plans between Russia and Belarus is that the two countries follow different objectives, that the level of integration and the legal framework within which this integration should occur remain unclear, and that the contracting parties cannot agree on a common agenda.

Economically, Belarus looks to Russia for a bailout, while Russia is not ready and able to provide it. Valeria Novodvorskaya puts it in a euphemistic way in comparing the two countries to West and East Germany and by concluding: "Even if the Belarusians are the *Ossis*, we are not the *Wessis*. We cannot afford such an integration."[139]

Politically, Minsk aims at an equal status between the two states, while Moscow assumes it will have the dominant role. No Russian politician has ever clearly explained what concrete benefits Russia would gain from integration with its western neighbor. Russia's primary interests in Belarus are the ability to maintain an avenue for exports, especially for the land-bounded energy transport to the West, and the right to keep troops stationed at the country's early warning bases. This, however, can be achieved without any kind of economic or political union. Hence, it cannot be dismissed that Moscow's motives have much to do with Russian power politics, the nostalgia for Slavic unity, and with a calming of the Communists and nationalists in the Russian parliament.

So far, many of the Belarusian-Russian bilateral treaties have had more to do with political and electoral games than with real cooperation or integration. The Agreement on

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[139] Valeria Novodvorskaya, "Our Wedding Clothes Are Not Yet Ready," New Times, February 1997, p. 32

a Monetary Union signed on 12 April 1994 shall exemplify this policy of opportunism. Table 20 summarizes the agreement's main clauses.

| Main clauses |
| --- |
| • Right for Russia to determine the common monetary and fiscal policy<br>• Sole right for the Russian Central Bank to issue currency<br>• Fixed exchange rate of 1:1 between the Russian and the Belarusian ruble<br>• Lift of the trade and the customs barriers between the two countries<br>• Cancellation of the 1.4 billion dollars Belarusian energy debt for the forfeit of alleged 1.9 billion dollars Belarusian costs for hosting Russian troops<br>• Free of charge stationing of Russian troops in Belarus up to the year 2020 |

Table 20. Main clauses of the April 1994 Agreement on a Monetary Union between Belarus and Russia [140]

The treaty can be seen as having been a Russian gesture in support of Belarus's Prime Minister Kebich, who was running in the July presidential elections. Given the completely different economic and fiscal policies of the two countries, it was obvious that a monetary union was unlikely to be realized. In 1994, Russia had managed to throttle inflation, free prices on most consumer goods, and make headway in privatizing state enterprises. Meanwhile, the Belarusian ruble – popularly known as the *zaichyk*, or rabbit – introduced in 1992, had rapidly lost value. In March 1994, it was worth about 0.15 Russian rubles.[141] The Belarusian policy of printing money and of issuing credits to pay wages and subsidize the agricultural and industrial sectors provoked hyperinflation.[142] Consumer goods continued to be subsidized and privatization had just begun. After Ke-

[140] The data are from: Ustina Markus, Op.cit. (reference 126), pp. 28-32

[141] Anatolii Rozanov, Op. cit., p. 203

[142] See Table 17 in Chapter III

bich lost the presidential election, Russia's Prime Minister Viktor Chernomyrdin informed Belarus that Moscow would not implement the monetary union.

## A. THE TREATY ON THE FORMATION OF THE COMMUNITY OF BELARUS AND RUSSIA OF 2 APRIL 1996

The two most important agreements the two countries have subscribed to so far are the Treaty on the Formation of the Community of Belarus and Russia and the Treaty on the Union of Belarus and Russia, signed on 2 April 1996 and 2 April 1997, respectively. The signing of both agreements was surrounded by much fanfare. The Russian Orthodox Patriarch Aleksei II gave his blessing to the two ventures in elaborated ceremonies.[143] The two treaties and the 'Charter of the Union of Belarus and Russia' that is an integral part of the second treaty are reproduced *in extenso* in the Appendices A to C.

Table 21 reproduces the 1996 agreement's main provisions.

| Main clauses |
|---|
| Article 1<br>Call for the creation of a "politically and economically integrated Community of Belarus and Russia" |
| Article 2<br>Definition of the equality of the two Parties |

Table 21/1. Main clauses of the 2 April 1996 Treaty on the Formation of the Community of Belarus and Russia [144]

[143] Ustina Markus, "Imperial Understretch: Belarus's Union with Russia," Current History, Vol. 95, # 603, October 1996, p. 336; and *gl.*, "Der russisch-weissrussische Unionsvertrag unterzeichnet – Feierliche Zeremonie im Kreml – Zurückgestufte Pläne Lukaschenkos," Neue Zürcher Zeitung, international edition # 76, 3 April 1997, p. 1

[144] The data are from: N.N., Treaty on the Formation of the Community of Belarus and Russia, N.P.: N.N. (Xeroxed document), provided by the Embassy of the Republic of Belarus to the United States, 14 February 1997

| Main clauses |
| --- |
| Article 3<br>Commitment to an agreed foreign policy and a coordinated security policy |
| Article 4<br>Commitment to the formation of a single economic area (common market; free movement of goods, services, capital, and labor) |
| Article 5<br>Implementation of measures to form a common transportation system, a unified energy system, and a common scientific, technological and information area by the end of 1996 |
| Article 7<br>Call for the unification of the Parties' monetary, credit and budget systems before the end of 1997 with the long-term goal of creating a monetary union |
| Article 9<br>• Creation of a Supreme Council as the Community's supreme body, including the Parties' heads of state and government, chairmen of the parliaments, as well as the chairman of the Community's Executive Committee (see Article 11)<br>• Agreement on the procedure of unanimity for the 'Supreme Council's' decisionmaking<br>• Agreement on a rotating chairmanship on a two-year term basis |
| Article 10<br>• Creation of a Parliamentary Assembly formed from an equal number of parliamentarians of the Parties<br>• Grant of a legislative initiative of the Assembly to the Parties' parliaments and to the Community's Supreme Council |
| Article 11<br>Creation of an Executive Committee as the Community's standing executive body, formed from an equal number of representatives of the Parties |
| Article 15<br>Maintenance of mutual individual state sovereignty, territorial integrity, and distinct Constitutions |
| Article 16<br>Maintenance of mutual independent foreign relations |
| Article 18<br>Opening of the Community to other states |

Table 21/2. Main clauses of the 2 April 1996 Treaty on the Formation of the Community of Belarus and Russia

The wording of the treaty elicits for the following comments. First, it was an impressive and ambitious declaration of intent. The Community committed itself (a) to a common foreign and security policy, (b) to the creation of a single economic area, and (c) to the creation of a monetary union. Second, legally, the Community did not aim at a federal or confederal structure. Rather, the treaty stressed the maintenance of a mutual individual state sovereignty. Third, in its succinctness, the treaty was not free of potential contradictions. Article 3, for example, reads that both sides would coordinate their foreign policy, while Article 16 says that they would establish their foreign relations and sign international treaties independently. Fourth, the treaty did not provide the Community's bodies with binding powers and foresaw procedures that were likely to create deadlocks. Article 9 says that the decisions of the Supreme Council are to be made on the basis of unanimity, with each Party having one vote. The two partners have conflicting interests on so many issues that unanimity would hardly be achieved for important matters. In addition, since the chairmanship of the Council was to be rotated every two years, it is difficult to imagine that Russia would have allowed the chairman to have any binding power. Fifth, the specified time frame for the integration was entirely vague. The treaty only scheduled preparatory measures but not the timetable of the integration itself.

Due to the document's wide scope and relative ambiguity, most of the concrete intentions of the two Parties remained unclear. Hence, the ratification process of the two countries' Legislatures, further statements of the respective leaders, and the concrete activities over time of the Community's Executive Committee had to be closely monitored.

Though having been rapidly and overwhelmingly ratified by both parliaments, the agreement met swift criticism and mockery.[145] Several commentators spoke of a bluff. They viewed the treaty as nothing else than an electoral move of President Boris Yeltsin to outflank his closest rival's popular proposal to recreate the Soviet Union.[146] Others argued that it was President Lukashenko who sought to exploit Yeltsin's vulnerability to press for progress on integration.[147]

The Community's bodies met several times throughout 1996. Between April and September, the Supreme Council, headed by President Lukashenko, adopted eight resolutions, while the Executive Committee – under the chairmanship of Russian Prime Minister Chernomyrdin – took up on three resolutions.[148] With regard to the treaty's scheduled

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[145] The Russian Duma voted a 320 to 8 resolution in favor of the treaty on 5 April 1996. In May, the Belarusian Supreme Council ratified the document by a 166 to 3 vote, with 1 abstention. Still in May, both Houses of the Russian Federal Assembly ratified the agreement. In: Ustina Markus, Op. cit. (reference 143), p. 338

[146] See e.g. Dmitry Agnin, "Union of Russian and Belarusian Republics," New Times, April 1996, p. 9; or *wdn.*, "Politische Polarisierung unter den Weissrussen – Der Gemeinschaftsvertrag mit Russland stösst auf Widerstand," Neue Zürcher Zeitung, international edition # 80, 4 April 1996, p. 1

[147] Ustina Markus, "Belarus, Ukraine Take Opposite Views," Transition, Vol. 2, # 23, 15 November 1996, p. 20

[148] The resolutions adopted by the Supreme Council were the followings: On 2 April 1996, #1 'On priority measures to put the 'Treaty on the Formation of the Community of Belarus and Russia' into operation', #2 'On celebrating the day of Unity between Russia and Belarus on the 2nd of April'. On 22 June 1996, #3 'On citizens' equal rights to employment, remuneration of labor and granting of other social and labor guarantees', #4 'On free exchange of housing', #5 'On joint action to minimize and overcome the after-effects of the Chernobyl accident', #6 'On the Customs Committee of the Community', #7 'On issues raised by the organs of the Belarusian-Russian Community', and #8 'On financing the overhaul and restoration works on the Brest-Hero Fortress memorial complex. For its part, the Executive Committee adopted the following resolutions: On 11 April 1996, #1 'On citizens' equal rights to have education'. On 15 May 1996, #2 'On reciprocal granting of equal rights to Belarusian and Russian citizens to receive comprehensive medical care'. On 4 September 1996, #3 'On securing Belarusian and Russian citizens equal rights and conditions for bringing in or taking out hard currency when crossing the common customs bor-

objectives for 1996, all the passed resolutions can be viewed as being of minor importance.

The real stance of the two countries' leaders remained unclear. On 13 November 1996, President Lukashenko addressed a speech to the Russian State Duma. He stood up for a rapid realization of the Community and proposed a common session of the two nations' parliaments to deliberate on the procedure and extent of the integration – though this is not the procedure foreseen in Article 10 of the treaty. Furthermore, he suggested the discussion of "the formation of a new, unified state"[149] – despite the wording of the treaty's Article 15.

On 14 January 1997, President Yeltsin sent a message to his Belarusian counterpart in which he proposed "a referendum in the two countries on their possible unification"[150] and sketched a likely procedure for the merger. Belarusian *voblastsi* and *harady* (that is, the country's regional and administrative subdivisions) should join the Russian Federation individually.[151] The maneuver was obvious. By eliminating the republic level, President Lukashenko would have been reduced to a kind of 'general governor' of the Belarusian territory. The latter's reaction was not long in coming. In a closed session of

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der.' See: Belarusian Presidential Administration, Belarus – Russia: Along the Road to Unity, http://www.belarus.net/president/unity_1.htm; no date (AOL, 18 January 1997)

[149] Quoted in: *gl.*, "Lukaschenko wirbt für die Union mit Russland – Umstrittener Auftritt vor der Staatsduma in Moskau," Neue Zürcher Zeitung, international edition # 266, 14 November 1996, p. 3. See also: Tom Warner, "Excerpts From Speeches, Editorials, and Other Notable Documents: Defending the 'Sacred-Cause' of Russo-Belarusian Integration," Transition, Vol. 2, # 25, 13 December 1996, p. 61

[150] Quoted in: N.N., "Yeltsin Offers Union With Belarus: Is He Serious?," The Current Digest of the Post-Soviet Press, Vol. 49, # 2, 12 February 1997, p. 7

[151] *gl.*, "Neubelebung ostslawischer Unionspläne," Neue Zürcher Zeitung, international edition # 11, 15 January 1997, p. 3

the Belarusian parliament on 20 February 1997, Lukashenko denounced a "deplorable state of affairs with Russia"[152] and announced new proposals on the creation of a union for the beginning of March. On 28 February 1997, the imbroglio was total when Belarusian Foreign Minister Ivan Antonovich announced in Kiev that a "merging of the two states' sovereignty [was] out of the question" and that President Lukashenko's statement on "One Land – One Vote [had to be understood as] a search for a union of two sovereign states." [153]

These contradicting statements smack of a "cat and mouse play" and are unworthy of a serious foreign policy. Throughout 1996 and early 1997, each Party to the April 1996 treaty vied with the other in coming up with new structural proposals on a merger of the two states, while nothing substantial was done to initiate the implementation of the agreements' provisions.

## B. THE TREATY ON THE UNION OF BELARUS AND RUSSIA OF 2 APRIL 1997

On 2 April 1997, Belarus and Russia signed a new agreement that consists of two documents. The first, named Treaty on the Union of Belarus and Russia, summarizes the more elaborated second paper called Charter of the Union of Belarus and Russia. The arrangement expressly confirms the validity of the April 1996 treaty. The main provisions of the new treaty are reproduced in Table 22. Appendices B and C contain the full text.

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[152] Quoted in: *wdn.*, "Scheinbare Distanz Lukaschenkos zu Moskau," Neue Zürcher Zeitung, international edition # 44, 22/23 February 1997, p. 5

[153] Quoted in: *wdn.*, "Minsk verbreitet Zweifel über Anschluss an Moskau – Weissrusslands Aussenminister in Kiew," Neue Zürcher Zeitung, international edition # 50, 1/2 March 1997, p. 4

To come to the point, the newest declaration of intent does not add fundamentally new elements to what has been decided a year ago.

| Main clauses of the **Treaty** |
|---|
| Article 1<br>• Redefinition of the association's naming: "The Community shall be transformed into a Union"<br>• Confirmation that the two states will retain full sovereignty |
| Article 6<br>Confirmation of the provisions of the April 1996 treaty in so far as they are not in contradiction with the Union treaty or its Charter |
| |
| Main clauses of the **Charter** |
| Articles 2 and 17<br>• Creation of a Union citizenship<br>• Grant of free movement, residence, private property, right to vote and eligibility on the local level for Union citizens in the entire territory of the Union |
| Articles 3 and 37<br>• Commitment of the Union Parties to sovereign equality, democracy, and respect for human rights<br>• Commitment of the Union's development to "a consistent advance towards the voluntary unification of the two states" on the basis of the two countries' popular will |
| Articles 4, 20, and 22<br>• Statement that the Union shall be a subject of international law<br>• Devolution of the right "to conduct international negotiations" and "to conclude international treaties on behalf of the Union" to the chairman of the Union's 'Supreme Council'<br>• Devolution of the right "to approve international treaties concluded on behalf of the Union" to the Union's Parliamentary Assembly |

Table 22/1. Main clauses of the 2 April 1997 Treaty on the Union of Belarus and Russia and its Charter of the Union of Belarus and Russia [154]

[154] N.N., Treaty on the Union of Belarus and Russia, and Charter of the Union of Belarus and Russia, N.P.: N.N. (Xeroxed documents), provided by the Embassy of the Republic of Belarus to the United States, 18 April 1997

| Main clauses of the **Charter** |
|---|
| Article 7<br>Opening of the Union to other states |
| Articles 8 and 15<br>Political tasks of the Union. Among those:<br>• Agreement to work out "common positions on international matters" and to coordinate the Parties' foreign policy<br>• Commitment to "international peace" and "the limitation and reduction of armaments and military spending by way of liquidating nuclear and other weapons of mass destruction" |
| Article 9<br>Economic tasks of the Union. Among those:<br>• Commitment of the Parties to "a socially oriented market"<br>• Intention to create a single economic area<br>• Intention to create "the necessary conditions" for a monetary union |
| Article 10<br>Social tasks of the Union. Among those:<br>• Commitment of the Parties to an extensive "social protection" |
| Articles 11, 15, and 19<br>Tasks of the Union in the sphere of security. Among those:<br>• Adoption "in case of necessity" of "joint measures to avert a threat to the sovereignty and independence of the Parties"<br>• Commitment to a "collective security" (Article 15) or a "collective defense" (Article 19)<br>• Intention to work out "a joint defense order" |
| Articles 19 and 20<br>Definition of the prerogatives and the functioning of the Union's Supreme Council |
| Articles 12, 14, and 15<br>Legal tasks of the Union. Among those:<br>• Intention to unify the legislation of the Parties and to create a legal framework of the Union |

Table 22/2. Main clauses of the 2 April 1997 Treaty on the Union of Belarus and Russia and its Charter of the Union of Belarus and Russia

| Main clauses of the **Charter** |
|---|
| Articles 21 to 25<br>Definition of the prerogatives and the functioning of the Union's Parliamentary Assembly. Among those:<br>• Right to adopt acts with the status of "recommendations" to the Parties' parliaments and to the Union's Supreme Council<br>• Right to submit "proposals" on the development of the Union's legal framework<br>• Right to "consider" the Union's budget<br>• Right to approve international treaties concluded on behalf of the Union |
| Articles 26 to 29, and 30<br>• Definition of the functioning of the Union's Executive Committee<br>• Statement that the Committee's prerogatives will be determined by a yet pending statute<br>• Right of the Committee "to adopt self-implementing decisions (...) binding for all the bodies of the Union" (such decisions may however be suspended or cancelled by the Union's Supreme Council)<br>• Right to develop the Union's budget |

Table 22/3. Main clauses of the 2 April 1997 Treaty on the Union of Belarus and Russia and its Charter of the Union of Belarus and Russia

In fact, the lengthy text of the Charter merely adds some new ambiguities and contradictions to the 1996 Community treaty and to the real goals of the two contracting Parties. While, for example, the 1996 treaty clearly committed the Parties to an "agreed foreign policy", the Charter speaks of "common positions on international matters" and of a "coordination of foreign policy". At least linguistically, this is a watering down of the 1996 position. The foreseen "coordinated security policy" of 1996 does not either become clearer in the new document. So, Article 15 speaks of "collective security", while Article 19 uses the term "collective defense", whereas Article 11 tasks the Union to adopt "adequate joint measures" in the security field "in case of necessity".

The future legal status of the Union remains a mystery, too. While Article 1 of the Treaty on the Union clearly reaffirms that the two Parties will retain full sovereignty, the Union shall nevertheless become "a subject of international law"[155], conduct international negotiations, and conclude international treaties. A complete merger of the two states has been postponed *sine die*: The Union's "development shall be directed at a consistent advance towards the voluntary unification of the two states on the basis of the free expression of the will of their peoples."[156]

Finally, a single currency and a monetary union between the two countries also have been delayed. The Union is merely tasked to "create the necessary conditions for the introduction of a single currency."[157] President Yeltsin made it quite clear: "There must be no illusions here"[158] he said; a common currency would be a "rather lengthy process."[159]

Besides, it seems that neither the treaty nor the charter takes the domestic Belarusian situation into consideration. The fact that Belarus commits itself to "the development of democracy, universal respect for, and implementation of, human rights and basic freedoms"[160] and agrees that Union citizens will have access to private property on its territory contains a bitter irony.

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[155] Ibid. (Charter), Article 4

[156] Ibid. (Charter), Article 3

[157] Ibid. (Charter), Article 9

[158] Quoted in: Lee Hockstader, "Belarus, Russia Move Toward a New Union," The Washington Post, 3 April 1997, p. A23

[159] Quoted in: Ibid.

[160] N.N., Op. cit., (reference 154), (Charter), Article 8

The new Belarusian-Russian agreement remains completely silent with reference to the implementation schedule of the measures agreed upon. The text neither prioritizeS the Union's various tasks,[161] nor sets up any kind of timetable. While the 1996 Community treaty scheduled at least some of the preparatory measures, the newest agreement mentions but one exact date. It is also symptomatic that the statute of the Executive Committee – as *the* body of the Union responsible for the implementation of the treaty's provisions – is still pending. We have seen that the Committee has been rather inefficient throughout 1996. It is likely that this will remain so in future.

Much of the treaty and of the charter reads like a hastily written down laundry list of possible integration steps. Allegedly, the drafting of the documents did not happen without much mishap. So, due to the efforts of the reformers in the Russian government, a first version – of which elements had already been handed over to the media – was turned down *in extremis*. The final draft was obviously set up during the night preceding the signature ceremony and compromised between President Lukashenko's desire for an extensive treaty and Russian First Deputy Prime Minister Anatoly Chubais' urge for conciseness – and, possibly, vagueness.[162] The fact is that Dmitry Rjurikov, President Yeltsin's chief adviser for foreign policy and the main Russian responsible for the setup of the treaty was removed from office on 6 April.[163] Unnamed insiders in the Kremlin reported

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[161] So for instance, the implementation of "joint measures" in the security field (Charter, Article 11) seem to have the same importance as say the creation of a common "database on job vacancies" (Charter, Article 10) or the pursuance of a common "hydro-meteorology policy" (Charter, Article 15/k)

[162] *gl.*, "Mysteriöser Unionsvertrag Moskaus mit Minsk – Engere Bindungen, aber kein gemeinsamer Staat," Neue Zürcher Zeitung, international edition # 75, 2 April 1997, p. 2

[163] *gl.*, "Weiterer Aufstieg Jastschembskis im Kreml – Nachwehen zur Panne mit dem Unionsvertrag mit Minsk," Neue Zürcher Zeitung, international edition # 79, 7 April 1997, p. 3

that President Yeltsin was extremely displeased with the way the treaty had been prepared.[164]

Though the ratification of the new treaty is certain, it is difficult if not impossible to assess the future line of action of the two protagonists on the basis of the newest bilateral agreement. President Yeltsin dampened the unification prospective at the Kremlin signing ceremony by saying: "We are transforming the Community between Russia and Belarus not into a single country but into a union between two independent countries."[165] President Lukashenko took quite the opposite view by stating: "Sooner or later the two countries will arrive at a single house where fraternal peoples will live."[166] Hence, further sterile daydreams and controversies about the unification of the two countries are likely: The Russian Duma was not long to announce it would initiate a parliamentary debate on a Belarusian-Russian merger.[167] As for 1996, the two countries' leaders can be expected to misuse the Union project for short-winded political demonstrations. Much will rest in the future statute of the Union's 'Executive Committee', in this body's ability to prioritize on some tasks, and on its endeavor to implement them.

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[164] Ibid.

[165] Quoted in: Lee Hockstader, Op. cit., p A23. This statement stands in sharp contrast to Yeltsin's referendum proposal of January 1997. It reveals either the president's fickleness or its changing dependence on the various factions of its entourage

[166] Quoted in: Ibid.

[167] *gl.*, Op. cit. (reference 143), p. 1

Finally, it is interesting to note that treaty and charter have been submitted to a nation-wide discussion until 15 May 1997 and that the ratification process in the two countries' parliaments will not start before the end of this consultation.[168]

[168] The International Discussion Club, Moscow, Belarus – Russia Union Treaty Discussion, http://www.cis.lead.org/zarov/bel-rus-union.doc.html; 22 April 1997 (AOL, 24 April 1997)

## V. THE STANCE OF DIFFERENT RUSSIAN FACTIONS

In order to be balanced, the thesis has also to present the point of view of some of the influential Russian factions. Russia being definitely the more influential partner, the final decision to form, and the nature of, an association with Belarus will depend on the Russians' stance. In other words and with regards to the conclusions drawn in Chapter III, Belarus will remain independent as long as Russia sees a sovereign Belarus to be profitable to its own interests.

The Russian Federation has not yet taken its final shape as a state. Correspondingly, a consensus among the Russian elites on the country's national interests – to include its relations with the other former Soviet republics – has not yet emerged. Hence, the views on the desirable nature and intensity of Belarusian-Russian relations also vary.

Obviously, the plan for a union with Belarus matches the views of the Kremlin conservatives and of the Russian nationalists and Communists in parliament. We have seen in the previous chapters that the State Duma overwhelmingly ratified the 1996 Community treaty and foresees the initiation of a parliamentary debate on a Belarusian-Russian merger. At a closer look however, the opinions of the Russian parliamentarians differ somewhat. While Gennady Zyuganov, head of the Communist Party of the Russian Federation (KPRF), sees Russia to be "viable"[169] only if it consists of "the mighty national core of Russians, Ukrainians, and Belarusians"[170], he presently manipulates the

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[169] Excerpt of Zyuganov's 1995 Ph.D. dissertation 'Tendencies and Mechanisms of the Social-political Change in Contemporary Russia', quoted in: Felix Ingold, "Russland in der Krise – Solschenizyn und Sjuganow melden sich zu Wort," Neue Zürcher Zeitung, international edition # 95, 25 April 1997, p. 33

[170] Ibid.

idea on deepening integration with Belarus for reasons of his political differences with Yeltsin. So, he criticized the Russian president's January 1997 referendum proposal, calling it "a political intrigue"[171] and doubting that "the organizers of the USSR's breakup would be able to bring about reunification."[172]. While Yegor Stroyev, chairman of the Federation Council, believes that "both states would gain from the unification of Russia and Belarus,"[173], his counterpart from the Russian lower chamber, Gennady Seleznyov, speaks with more restraint. For Seleznyov, "the proposal for the unification of the Russian Federation and Belarus is only a possible topic of discussion."[174] Yet, even the center-right party 'Russia Is Our Home' (NDR) favors the idea of a close association between the two countries. Sergei Belyayev, leader of NDR, expresses the opinion that "the idea of a community is in keeping with the idea of a Confederation."[175] Finally, a non-parliamentary official, Russia's Constitutional Court's chairman Vladimir Turmanov, has a stance similar to that of Belyayev. He calls "a Confederation (...) a possible option for unification".[176] However, he does not rule out "the possibility of Belarus becoming a part of Russia."[177]

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[171] Quoted in: N.N., Op. cit. (reference 150), p. 8

[172] Ibid.

[173] Quoted in: Ibid.

[174] Quoted in: Ibid.

[175] Quoted in: Ibid.

[176] Quoted in: Ibid.

[177] Ibid.

Of greater importance than declarations of officials submitted to the dynamic of day-to-day politics, is the widespread nostalgia for Slavic unity and conviction that some of the former Soviet republics are geopolitically and historically crucial to Russia. In a panel discussion conducted with some 70 "elite and educated Russians"[178] in Moscow, Krasnodar, Kazan, and Khabarovsk in September 1996, most panelists expressed the opinion that "the three [countries (that is, Russia, Ukraine, and Belarus)] would get together somehow, sooner or later."[179] More specifically, the prestigious Russian 'Council on Foreign and Defense Policy' published its opinion on the stance that Russia should take toward the other former Soviet republics in May 1996. In a document provocatively named 'Will the Union Be Reborn?', the Council answers the question in a negative way, but unmistakably stresses that one of Russia's "vitally important interests"[180] includes "establishing the closest possible political, economic, and military-political union with Belarus, Kazakhstan, and Kyrgyzstan."[181] The Council sees a Confederation to be the "reasonably realistic"[182] form for such a union. It thinks that "confederative relations with Belarus [could be established] within one to two years, despite existing economic and legal problems."[183] Finally, it is important to recall that the notion of an organic, histori-

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[178] USIA Office of Research and Media Reaction, "Russian elites discuss Russia's place in the world," USIA Opinion Analysis, R-9-96, December 1996, p. 15

[179] Ibid., pp. 15-17

[180] Quoted in: Scott Parrish, "Will the Union Be Reborn?" Transition, Vol. 2, # 15, 26 July 1996, p. 33. It is interesting to note the Council's definition of 'vitally important': "Vitally important [interests are] those the state must be ready to use all means, including force, to protect."

[181] Ibid.

[182] Ibid., p. 34

[183] Ibid., p. 35

cally-rooted Slavic fraternity is also the stance of Aleksandr Solzhenitsyn who is influential among certain Russian intellectual circles. In his book Rebuilding Russia written in 1990, Solzhenitsyn argued that the separateness of the Ukrainian and the Belarusian peoples is an "invented falsehood"[184] and he warned "to lop off [the two republics] from a living organism."[185] Since then, Solzhenitsyn has not stopped advocating a pan-Slavic and Orthodox greater Russia.[186]

Opponents of a special Russian relationship with Belarus are the reformers and the liberal democrats. In January 1994, when Deputy Prime Minister Yegor Gaidar and Finance Minister Boris Fedorov resigned, both cited their opposition to the treaty on an 'Agreement on a Monetary Union' with Belarus as one of the principal reasons for resignation.[187]

More recently, 70 democratic deputies left the State Duma in protest when President Lukashenko adressed the chamber on 13 November 1996. Their motives however were not clear-cut. Grigori Yavlinsky , co-leader of the centrist Yavlinsky-Boldyrev-Lukin or Yabloco Bloc, said that the opposition against Lukashenko was "less [an expression against the latter's] Slavophile old-Communist daydreams (...) [than against the fact] that human rights in Belarus were trampled."[188] After the signature of the 2 April 1997 treaty,

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[184] Aleksandr Solzhenitsyn, Rebuilding Russia – Reflections and Tentative Proposals, New York: Farrar, Straus and Giroux, Inc., 1991, p. 14

[185] Ibid., p. 17

[186] See e.g. Felix Ingold, Op. cit., p. 33

[187] Ustina Markus, Op. cit. (reference 126), p. 30

[188] Quoted in: *gl.*, Op. cit. (reference 149), p. 3

Yavlinsky stressed that "the agreement was a mistake"[189] and noted that between Belarus and Russia "the difference in the progress of reforms and in the state of the economy was too great"[190]. He repeated that "human rights and freedom of information were not observed in Belarus."[191] It shall be noted that the Yabloko Bloc not only criticizes the Belarusian-Russian project. The party published an alternative proposition to the Treaty on a Union of Belarus and Russia in the *Obschaya Gazeta* of 10-16 April 1997. It advocates limiting the scope of a union to an "Economic Alliance" and to push – in a first step – for a rapprochement limited to the free movement of goods, services, labor, and capital.[192]

We have seen in the previous chapter that the drafting of the 'Treaty on the Union of Belarus and Russia' did not happen without contretemps. Obviously, Kremlin reformers and conservatives disagreed on the treaty's wording. The reformers – under the fresh impetus of the recently appointed First Deputy Prime Minister Chubais – focus on restructuring and modernizing Russia's economy and refuse to be saddled with the burden of Belarus's economy. According to Lee Hockstader, the Kremlin conservatives "want to salve Russia's injured pride (...) [and] (...) polish Yeltsin's image as a steward of Russian power."[193] They also view the union as being a "symbolic response to the planned eastern

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[189] Quoted in: Sergei Grivenkov, Russia Belarus Union Will Tell Negatively on Relations Within the CIS, http://www.russia.net/ria/hotline/hg01044.htm; 4 April 1997 (AOL, 12 April 1997)

[190] Ibid.

[191] Ibid.

[192] The full draft of Yabloko's proposition is available on the Internet in Russian at the site http://www.cis.lead.org/zarov/russian/bel-rus-union-yabloko.html; 22 April 1997

[193] Quoted in: Lee Hockstader, Op. cit., p A23

expansion of NATO, which Russia's political elite sees as a humiliation."[194] These diametrically opposite views reveal some of the tensions that take place in the Kremlin's inner power circle. The reformers appear to have won the April round by diluting the newest treaty's provisions. It is however likely that the fight will go on. Nobody can predict who will win the next round.

In summary, there is no single stance of the Russians but, rather, a wide variety of diverging opinions on the issue. Much of Russia's further policy will thus depend on (1) the capacity of the Russian elites to find a consensus on the Federation's foreign policy strategy, or (2) on the political faction that will hold power in the post-Yeltsin era.

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[194] Ibid.

## VI. TOWARD A REGIONAL INTEGRATION PROCESS

The implosion of the Soviet Union has been a tremendous *disintegrative* process. Since then, disintegrative trends within, and outside of, the Russian Federation have not stopped. Chechnya, for example, follows a separatist course and most Newly Independent States keep their distance from their former hegemon. On the other hand, and as a natural movement of the pendulum, the search for a new regional order also implies *integrative* processes, the earliest of which having been the December 1991 establishment of the CIS. Since 1995, integration processes have predominated in Russia's relations with Armenia, Belarus, Kazakhstan, and Kyrgyzstan.[195] So, the Belarusian longing for going 'back to Russia' and the project of a Union between the two countries take their place within the framework of these integration tendencies.

To be sure, Russia has been weakened and humiliated by the amputation of much of its former Empire. Evidently, it is momentarily merely a second-rate power. And surely, it is still in search of a new domestic identity and a new regional and international role. However, due to its size, its resources, and to the fact that it is a nuclear power, Russia imposes itself as the natural major regional player. Thus, any rapprochement and integration process in the region will depend on Russia or will need Russia's benevolent agreement.

The idea of restoring any kind of Soviet Union is utopian. Likewise, it is not to be expected that Russia will ever be invited to join the European Union (EU) or NATO. Russia is a Eurasian power. Thus, an admission of Russia into one of these organizations

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[195] Scott Parrish, Op. cit., p. 33

would decisively shift their geographical center of gravity toward Asia and – in doing so – call for a radical change of their identity, aims, and policies. The EU and NATO simply cannot accommodate Russia.

With Russia not being member of the EU or NATO, it would be unwise if these organizations would enlarge up to this country's borders and close to Russia's core.[196] As a major power that will sooner or later recover from its present weakness, Russia needs buffering states between it and the Western organizations to which it will not belong. Russia has a legitimate right to have a certain sphere of influence beyond its state borders.

Furthermore and despite any moral and political considerations, Europe will not afford in the next decades to integrate the economies of all the countries that knock at its door.[197] Most Eastern European economies are not competitive on the world market and will not become so in the foreseeable future. For them, the so-called "soft" or "light" big Russian market is an attractive – or the only – alternative.[198]

Finally and without straining Samuel Huntington's over-quoted "The Clash of Civilizations?",[199] one also has to admit that Western values, beliefs, and cultural patterns

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[196] The Estonian-Russian border is only some 175 miles away from Saint Petersburg, while the distance from the Belarusian-Russian frontier to Moscow amounts to less than 250 miles

[197] So for example, the World Bank estimates that a successful economic integration of the sole Poland into the western system will cost some 350 billion U.S. dollars and require this country to use 20 to 30 percent of its gross national product (GNP) for investments. In: Peter Robejsek, Op. cit., p. 42

[198] Slovakia's Prime Minister Vladimir Meciar admitted it recently quite frankly in saying: "Slovakia is interested in the Russian market because Slovak goods match this market's needs." Quoted in: Ibid.

[199] Samuel Huntington, "The Clash of Civilizations?" Foreign Affairs, Vol. 72, # 3, Summer 1993, pp. 22-49

would be undermined if the West would try to integrate in its system all countries that are keen on doing so.

Without any cynicism, one has to admit that there is simply not a Western "window of opportunities" for all states that have emerged from the former Soviet Empire. Hence, it can be expected that the countries that do not aim at becoming part of the West or will not be invited by the West to join its most important organizations will sooner or later enter other regional integration processes. Among those, some will have no other choice than to reenter the Russian orbit.

What shall be the design of a Russian led regional rapprochement or integration? First, the example of the Belarusian-Russian Union shows that it would be in the interest of Russia and of its likely partners to refrain from aiming at political superstructures before concrete integration objectives are defined and prioritized.

Second, Russia should, for the time being, strive for an economic, not for a political integration process. In other words, it should capitalize (1) on its dominant position as energy and raw material supplier for economies that still highly rely on agriculture and industry, (2) on its large and undemanding market, and (3) on the regional strength of its currency.

Third, the integration process should be initiated on a bilateral basis, as it is unlikely that all CIS countries will either enter the process at the same time or enter it at all.

Fourth and in a later step, the establishment of closer political bonds could go hand in hand with the formulation of an agreed foreign and security policy. Close political bonds should however not imply that the mightier partner incorporates the weaker one. We have seen in Chapter V above that some Russians view confederal structures as

being a likely organizational form for the Belarusian-Russian Union. Yet, confederations – in which the center is not sovereign – have not survived into the 20th century. Such structures are unsuited to today's world. Among other problems, a confederation cannot join international organizations or sign international treaties because it is not considered a subject of international law. The ambiguity of the Treaty on the Union of Belarus and Russia on this issue has been stressed in Chapter IV above. On the other hand, in view of Russia's regional preponderance, an integration process politically organized as a federation would amount to the incorporation of the junior partners we have warned against. Hence, as pointed out before, Russia is well advised not to build rash political superstructures that it does not really need and that would frighten its neighbors and the world.

Fifth, Russia should refrain, at least on its western flank, from establishing a system of collective defense. In the absence of a common military threat, there is no need to do so.[200] Likely integration partners would merely consider such a move as a threat directed at them. Rather, the political integration should comprise a system of collective security that would also address non-military threats.

Finally, Russia should not impose a quick process but rather establish a timeframe for integration leading into the first decade of the next century, while initiating the preparatory steps now. This would allow Russia to consolidate domestically, to reach a consensus on a new foreign policy strategy, and to create the necessary integration structures. Furthermore, this timeframe would allow countries that will not belong to a first wave of

[200] This does not mean that concrete cooperation in specific spheres (early warning systems, air and missile defense, outer border control in a custom union area, etc.) should not take place

Western integration to assess their position between the European poles of attraction in a more realistic way.

The sketched process might seem tamely non-Russian and thus unrealistic. It is needless to say that such a design would not preclude Russia from using the leverage of its natural regional and relative economic dominance to soften integration partners it would like to have in its area of influence. The advantage of the proposed procedure is that it would rest on a clearly formulated strategy, be constructive thanks to its coherence and relative transparency, and thus help to stabilize the region and the continent. Hence, such an integration could also represent the kind of serious Russian policy the West should welcome and support.

## VII. CONCLUSION

The question raised in the thesis's title – Belarus - On The Road to Nationhood or Back to a Merger with Russia? – remains to be clearly answered. The response is a *no* and a *perhaps*.

First, Belarus is definitely *not* on the road to nationhood. The country's "national nihilism"[201] is the thread running through the thesis. First of all, the lack of Belarusian national identity expresses itself in highly symbolic attitudinal postures. Belarusians are "ashamed"[202] to speak their vernacular language. At the ballot box, they decided to move the National Holiday from the commemoration of the declaration of independence in 1991 to the anniversary of Minsk's liberation from Nazi-Germany by the Red Army in 1944. And they agreed to return to a national flag and emblem that look similar to the pre-1991 ones. More substantially, but still as voters, Belarusians rebuff the nationalists on the occasion of elections, while sanctioning the country's official course of close ties with Russia. Despite an urban opposition that rallies under the lead of the nationalists, there is a concurring view on the question between the people and its leaders. Thus, President Lukashenko's regime is not the cause of Belarus's urge for a 'back to Russia' but, rather, a consequence of this concurring view. So far, Belarus possesses all the attributes of sovereignty. However it does not really act on them. Rather, it behaves in the posture of a vassal toward Russia. The Belarusian collective historical memory is simply

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[201] See footnote 47

[202] See footnote 37

to have always been a part of a powerful and great superstructure: the Grand Duchy of Lithuania, the Polish-Lithuanian Commonwealth, the Russian, and the Soviet Empire.

Second, Belarus is *perhaps* on the road to a merger with Russia. The issue will be decided in Moscow. While the Belarusian posture is clear-cut, the stance of Russia is less discernible. Kremlin conservatives and reformists disagree on the question. This explains the inconsistent official Russian policy and much of the contradictory statements of President Yeltsin on the Belarusian issue. Seemingly, the factions of the group in power have not yet found a consensus on determining Russia's real interests in Belarus. Slavic brotherhood, so-called historical necessity, or an act of defiance toward NATO enlargement cannot be rational elements of a serious foreign policy. Rather, Russia has to determine how it best reintegrates Belarus in its sphere of influence without incriminating its other regional and global foreign relations. In this regard, a unification of the two countries would bear nothing but disadvantages for Russia. Internationally, a westward aggrandizement of the Russian Federation would be interpreted as the attempt to start reestablishing a kind of Soviet Union and would put a decisive strain on Russia's international credibility and respectability. Bilaterally, Russia would saddle itself with the heavy load of the muddled Belarusian political and economic situation. Domestically, it would earn the applause of the nationalists and Communists but face the disapproval of the reformers and liberals and further weaken the cohesion within the government. Russia is realist enough to know that. This is why the Treaty on the Union of Belarus and Russia of 2 April 1997 contains the sibylline formulation that the Union's "development shall be directed at a consistent advance towards the voluntary unification of the two states."[203] In

[203] See footnote 157

other words, the idea of a unification has not been abandoned but postponed *sine die*. This does not bind Russia in any way, while it still allows its leader to beat now and then the drum of a Slavic or "historically unavoidable" reunification when he sees it to be opportune for demagogic reasons.

Which legal form of political integration, then, shall a merger of the two countries aim at? Chapter VI has touched on the advantages and disadvantages of confederal or federal organization forms. It is worthless to restart the discussion here. The question is simply not of acute importance yet. The two countries have first to agree on concrete integration aims, priorities and on implementation ways and schedules. An economic integration certainly has to take place before a political one. Thus, the political "wedding clothes" of the two countries "are not yet ready."[204] It is quite conceivable that the best fitting "wedding clothes" will be an integration in which Belarus keeps its formal sovereignty while gravitating into Russia's orbit within narrow bounds. Whether sovereign or not, Belarus has anyway not tried to free itself from Russia's influence. There is good evidence that this will remain so.

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[204] See footnote 139

## APPENDIX A. TREATY ON THE FORMATION OF THE COMMUNITY OF BELARUS AND RUSSIA OF 2 APRIL 1996 [205]

The Republic of Belarus and the Russian Federation, hereinafter referred to as the Parties;

based on the historically shaped commonality of their people's destinies;

relying on their will for further rapprochement, as expressed in the results of the May 1995 referendum in the Republic of Belarus and the October 1995 decisions of the Russian Federation Federal Assembly chambers;

based on the provisions of the 'Treaty of Friendship, Good Neighborliness and Cooperation between the Republic of Belarus and the Russian Federation' of 21 February 1995;

reaffirming their participation in the Commonwealth of Independent States, the 'Treaty Between the Republic of Belarus, the Republic of Kazakhstan, the Kyrgyz Republic, and the Russian Federation on the Deepening of Integration in the Economic and Humanitarian Spheres' of 29 March 1996;

have agreed as follows:

Article 1

The Parties have decided on a voluntary basis to form a profoundly politically and economically integrated 'Community of Belarus and Russia' with a view to pooling the material and intellectual potential of their states to boost the economy and create equal conditions improving the living standards of the peoples and ensuring the spiritual development of the individual.

Article 2

The Community is based on the principles of the sovereignty and equality of the Parties, democracy and respect for Human Rights, and the generally accepted principles and norms of international law.

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[205] The text is an unofficial English translation from the Russian original made available to the author by the Embassy of the Republic of Belarus to the United States, 14 February 1997. The layout is by the author.

Article 3

The Parties shall agree their foreign policy, common positions on the main international issues, cooperate in safeguarding security, protecting borders and fighting crime. With a view to ensuring reliable security, the Parties shall elaborate the common principles of military organizational development and the utilization of elements of the military infrastructure in accordance with national legislation.

Article 4

In order to create a single economic area and ensure the effective functioning of the common market and the free movement of goods, services, and capital and labor, the Parties will by the end of 1997 synchronize the stages, timetable and depth of the economic reforms implemented, create a single normative-legal basis for removing any interstate barriers or restrictions and creating equal opportunities for free economic activity.

During this period, the Parties will set up a unified system of antimonopoly legislation, taxes, state support for production, investment regime and labor protection norms and regulations, and will also complete the creation of a single customs area with a unified administrative service.

Article 5

Before the end of 1996, the Parties will ensure the implementation of measures to form a common transportation system with unified tariffs for the carriage of cargo and passengers, as well as unified energy system, a common scientific, technological and information area.

Article 6

As of 1997, the Parties will coordinate their structural policy for the further development of their economies, with a view to creating industrial and agrarian economic complexes based on the mutual complementarity of the economies and the maximum utilization of the advantages of a rational division of labor, specialization and production sharing.

As of 1997, the transition will be made to compiling joint balance sheets of production capacities and coordinating their utilization in the Parties' interests.

Article 7

Before the end of 1997, the unification of monetary, credit and budgetary systems of the Parties will be carried on, conditions for the introduction of a common currency will be created.

Article 8

The Parties:

- shall ensure the equal rights of the Parties' citizens to receive an education, find work, receive pay or be granted other social guarantees;
- shall introduce single standards of social protection;

- shall ensure equal rights for individuals to acquire property and to own, utilize and dispose of it on their territories;
- shall equalize the conditions of pension provision and levels of benefits and concessions to war and labor veterans, the disabled and low-income families;
- shall unify norms in the sphere of labor protection, social insurance and production and social sanitation;
- shall create a common information base on the questions of the employment of the population and the existence of job vacancies.

Article 9

The supreme body of the Community is the Supreme Council, which shall include the heads of state and government, the leaders of the Parties' parliaments and as well as the Chairman of the Executive Committee.

Within the limits of the Community's powers, the Supreme Council examines and resolves the most important issues of Community development, monitors and directs the activities of its bodies in carrying out decisions reached.

The Supreme Council determines the location of Community bodies.

The Supreme Council elects the chairman on a rotating basis for a two-year term.

Supreme Council decisions are made on the basis of unanimity, whereby each Party has one vote. The Chairman of the Executive Committee has a deliberative vote.

The Supreme Council approves its statute.

Article 10

The parties shall set up a Parliamentary Assembly formed from an equal number of parliamentarians from each of the Parties.

The Parliamentary Assembly shall adopt model acts of legislation and make corresponding proposals to bodies with the right of legislative initiative, to the Parties' parliaments, and to the Supreme Council on the questions of developing the Community's legal base.

Parliamentary Assembly decisions shall be made by a qualified majority vote.

Parliamentary Assembly sessions shall have a quorum if attended by at least two-thirds of the deputies from each Party.

The Parliamentary Assembly adopts its standing orders.

Article 11

In order to organize practical work to implement the Treaty, the Supreme Council shall set up an Executive Committee as a standing executive body, as well as sectorial administrative bodies.

The Supreme Council appoints the Chairman of the Executive Committee.

The Executive Committee includes an equal number of representatives of the Parties. The corresponding head of state approves the individual composition of representatives of the Parties on the Executive Committee.

The Executive Committee:

- draws up plans and programs to implement Community purposes and tasks; proposals on the funding of measures implemented by the Community; and proposals on the creation of bodies and organizations ensuring the resolution of corresponding Community tasks – and submits them for approval by the Supreme Council;
- draws up and approves measures to carry out Supreme Council decisions and approved Community projects and programs, organizes and monitors their implementation;
- coordinates the activity of other bodies and organizations used by either Party to implement Community projects and programs;
- concludes on its own behalf corresponding civil law contracts;
- within the limits of the funds allocated to the Community budget provides financial and other support for projects, programs and individual measures that are being implemented;
- annually provides the Supreme Council with reports on the implementation of Community projects and programs.

The statute of this committee, approved by the Supreme Council determines the functions of the Executive Committee and the procedure for its activity.

The Executive Committee has a staff whose size is determined by the Supreme Council.

Article 12

The functions of the bodies set up by the Community include:

- the implementation of a common economic and social policy, the development and implementation of joint programs;
- the formation of a single normative-legal base;
- the implementation of measures aimed at unifying monetary, credit, tax, and budgetary systems;
- the development and implementation of measures which create the conditions for the introduction of a common currency;
- the shaping of unified power generation, transportation and communication systems;
- the rational sitting of new production capacity and modernization of existing capacity;
- cooperation in solving the population's employment problems;
- the coordinated implementation of foreign economic ties;
- the joint organization of customs arrangements;
- the shaping of common standards, models, systems of measurement and statistics;
- the comprehensive promotion of the development of a common scientific, educational, and cultural area;
- cooperation in ensuring the protection of the environment and liquidation of the consequences of accidents and natural disasters;

- the creation of a unified meteorological service;
- cooperation in safeguarding security and protecting borders.

Article 13

The Supreme Council and the Executive Committee are entitled within their competence to make decisions to be directly implemented, without detriment to the Parties' Constitutions, or decisions to be transformed into national legislation.

Article 14

The Community budget is formed from annual payments from the Parties' state budgets and is used to fund common programs and maintain Community bodies.

On the basis of additional agreements, the Parties shall transfer to Community bodies the property needed to implement the powers entrusted to them. This property is jointly owned by the Parties and is used exclusively in their common interests.

Article 15

While participating in the Community, each of the Parties retains its state sovereignty, independence and territorial integrity, its Constitution, state flag, coat of arms, national anthem, and other attributes of state power.

Article 16

The states forming the Community are subjects of international law and independently establish diplomatic and consular relations, trade and other relations with foreign states, and conclude international treaties.

The Parties retain their membership to the United Nations and other international organizations.

Article 17

The further development of the Community and its structure shall be determined by referenda to be held on the Parties territories in accordance with their national legislation.

Article 18

This treaty is open for accession to by other states that share its purposes and principles and fully accept the obligations stemming from the treaty.

Article 19

This treaty is applied provisionally from the date of its signature, is subject to ratification and comes into force on the day of the exchange of the instruments of ratification.

Done at Moscow on 2 April 1996, in two copies, each in Belarusian and Russian, both texts being equally authoritative.

| For the Republic of Belarus | For the Russian Federation |
| --- | --- |
| Aleksandr Lukashenka | Boris Yeltsin |

## APPENDIX B. TREATY ON THE UNION OF BELARUS AND RUSSIA OF 2 APRIL 1997 [206]

The Republic of Belarus and the Russian Federation;

proceeding from their spiritual closeness and the common historical destiny of their peoples;

guided by their will for further unification;

striving effectively to use the material and intellectual potentials of Belarus and Russia in the interests of their social and economic progress;

acting in keeping with the foundations of the constitutional systems of the two contracting Parties and with the generally recognized principles and norms of international law;

proceeding from the 'Treaty on the Community of Belarus and Russia' of 2 April 1996, and further developing its provisions for the purposes of achieving genuine integration in the economic and other spheres of public life;

have agreed as follows:

Article 1

The Community of Belarus and Russia shall be transformed into a Union and shall be vested with all the powers envisaged by the 'Union Charter'.

Each Party to the Union shall retain its state sovereignty, independence, and territorial integrity, Constitution, national flag, emblem, and other attributes of statehood.

Article 2

The goals of the Union are

- to strengthen the relations of fraternity, friendship and all round cooperation between the Republic of Belarus and the Russian Federation in the political, economic, social, military, scientific, cultural, and other areas;
- to enhance the living standards of the peoples and to create favorable conditions for the all round harmonious development of the individual;

[206] The text is an unofficial English translation from the Russian original made available to the author by the Embassy of the Republic of Belarus to the United States, 18 April 1997. The layout is by the author.

- to promote the stable socio-economic development of the Parties to the Union by pooling their material and intellectual potentials and drawing on the market mechanisms for the functioning of their economies;
- to approximate the national legal systems and shape a legal system for the Union;
- to ensure security and maintain a high level of defense capability, jointly to combat crime;
- to help ensure all-European security and develop mutually advantageous cooperation in Europe and in the World as a whole.

Article 3

The 'Union Charter' is an inseparable part of this treaty.

Article 4

The present treaty and the 'Union Charter' may be amended and supplemented on mutual consent of the contracting Parties. All such amendments and supplements are subject to ratification.

Article 5

The present treaty does not affect the rights and commitments of the contracting Parties, stipulated by other international agreements, in which they participate, and is not directed against any third countries.

Article 6

The 'Treaty on the Community of Belarus and Russia' of 2 April 1996 and the normative legal acts adopted earlier by the bodies of the Community remain in force if they do not contradict the present treaty.

Article 7

The present treaty is open for accession to other states that are subjects of international law and share its goals and the principles of the Union, and assume in full the commitments stemming from the treaty and the 'Union Charter'. Such accession can be effected with the consent of the Parties to the treaty.

Article 8

The present treaty and the 'Union Charter', signed by the heads of state of the contracting Parties, are to be ratified and shall take effect from the day when the ratification instruments are exchanged. The present treaty has no time limit. Either of the two contracting parties is free to withdraw from it by notifying the other in writing 12 months in advance.

Article 9

The present treaty shall be registered in keeping with Article 102 of the Charter of the United Nations Organization.

Done at Moscow on 2 April 1997, in two copies, each in Belarusian and Russian, both texts being equally authoritative.

| | |
|---|---|
| For the Republic of Belarus | For the Russian Federation |
| Aleksandr Lukashenka | Boris Yeltsin |

## APPENDIX C. CHARTER OF THE UNION OF BELARUS AND RUSSIA OF 2 APRIL 1997 [207]

The Republic of Belarus and the Russian Federation, hereinafter referred to as the Parties;

guided by the will of the peoples to bring together the two states, have formed the Union of Belarus and Russia.

### CHAPTER 1: UNION, PRINCIPLES AND AIMS

#### Article 1

The Parties, forming the Union of Belarus and Russia, hereinafter referred to as the Union, shall act on the basis of this Charter, which is an inalienable part of the 'Treaty on the Union of Belarus and Russia' of 2 April 1997.

#### Article 2

Citizenship of the Union shall be instituted. Each citizen of the Republic of Belarus and each citizen of the Russian Federation shall be simultaneously a citizen of the Union.

#### Article 3

The Union shall be based on the principles of the sovereign equality of the Parties, democracy and respect for Human Rights, cooperation and mutual assistance, voluntary involvement, conscientious fulfillment of mutual obligations and other generally recognized principles and norms of international law.

The prospects of the Union's development shall be directed at a consistent advance towards the voluntary unification of the two states on the basis of the free expression of the will of their peoples, the observance of the constitutions of the participating states and proceeding from the sovereign equality of its members and generally recognized norms and principles of international law.

#### Article 4

Within the framework of powers granted by this Charter, the Union shall be a subject of international law.

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[207] The text is an unofficial English translation from the Russian original made available to the author by the Embassy of the Republic of Belarus to the United States, 18 April 1997. The layout is by the author.

Article 5

The 'Treaty on the Union of Belarus and Russia' of 2 April 1997, the present Charter, the 'Treaty on the Formation of the Community of Belarus and Russia' of 2 April 1996, other bilateral treaties between the Parties, as well as normative legal acts of the bodies of the Union, adopted within the sphere of their competence, shall serve as the legal framework for the activity of the Union.

The previously adopted normative legal acts of the bodies of the Community of Belarus and Russia shall remain valid in the part that does not contradict this Charter.

Article 6

The aims of the Union shall be:

- to strengthen relations of brotherhood, friendship and all round cooperation between the Parties in the political, economic, social, military, scientific, cultural, and other areas;
- to raise the living standards of the peoples and to create favorable conditions for the all round harmonious development of the Parties on the basis of merging their material and intellectual potentials and utilizing market mechanisms of the functioning of the economy;
- to draw closer the national legal systems and to form a legal system of the Union;
- to ensure security and to maintain a degree of defense capability and jointly to fight crime;
- to facilitate the maintenance of all-European security and the development of mutually advantageous cooperation in Europe and the World.

Article 7

A state that is a subject of international law, that shares the aims and principles of the Union and assumes the obligations provided for by the 'Treaty on the Union of Belarus and Russia' and this Charter may be a participant in the Union.

Accession to the Union shall be with the consent of the Parties.

A state that accedes to the Union shall abide by the decisions that were already adopted by the Union's bodies without any reservations whatsoever.

CHAPTER II: TASKS OF THE UNION

Article 8

In the political sphere the tasks of the Union shall be:

- to coordinate positions and actions when solving general political problems by way of consultations and exchange of information;
- to work out common positions on international matters of mutual interests;
- to take agreed-upon measures to ensure international peace and security, including by way of achieving international accords on the limitation and re-

duction of armaments and military spending, by way of liquidating nuclear and other types of weapons of mass destruction;
- to promote the development of democracy, universal respect for, and implementation of, Human Rights and basic freedoms in accordance with generally recognized principles and norms of international law.

Article 9

In the economic sphere the tasks of the Union shall be:
- to ensure the stable economic development of the Parties in conditions of a socially oriented market;
- to create a single economic area, equal conditions and guarantees of the activity of the economic entities of the Parties;
- to form and implement an agreed-upon program of market reforms with due account for the specificities of the economic development of each Party and the principle of social justice;
- to create and develop a single infrastructure and first of all integrated transport, energy and communications systems, a single scientific-technological and information space;
- to ensure the functioning of unified monetary, credit and budget systems and a tax system, to create the necessary conditions for the introduction of a single currency;
- to apply in relations with third countries a similar trade regime, common customs tariffs, measures of non-tariff regulation of foreign trade, to develop mutual trade and to ensure the effective functioning of the single customs space;
- to ensure an agree-upon development, location and utilization of production capacities;
- to ensure on the territory of each of the Parties for the citizens and legal entities of the other Parties the national regime in the field of acquisition, possession, use and disposal of property.

Article 10

In the social sphere the tasks of the Union shall be:
- to move over to uniform standards of social protection, gradually to even out the living standards of the population of the Parties, labor remuneration, pensions, sizes of allowances, and benefits of veterans of war, the armed forces, invalids and families in the low-income bracket;
- to ensure equal rights of the citizens of Parties in education, medical assistance, employment, labor remuneration, and the granting of other social guarantees;
- to introduce single standards in the field of labor protection, social insurance, industrial and social hygiene;
- to create a joint data base on population employment and job vacancies;

- to facilitate the development of education and the mutual enrichment of cultures, the exercise of equal rights and freedom of expression, the preservation and development of the ethnic, cultural, and linguistic identity of the peoples.

Article 11

In the sphere of ensuring security the tasks of the Union shall be:

- to adopt in case of necessity adequate joint measures to avert a threat to the sovereignty and independence of each of the Parties;
- to coordinate the activity of the Parties in the field of military development and the development of their armed forces, to jointly utilize the military infrastructure and to adopt other adequate measures with due account for the interests of the Parties in order to maintain the defense capability of the Parties and the Union as a whole;
- to work out and place [?; probably: implement] a joint defense order, to ensure the delivery and sale on its basis of armaments and military equipment, to create a joint system of the technical supply of the armed forces of the Parties;
- to ensure interaction in protecting the borders of the Union;
- to fight against corruption, terrorism, and other crimes.

Article 12

In the legal sphere the tasks of the Union shall be:

- to develop the normative legal framework for the purpose of ensuring the further integration of the Parties;
- to unify and coordinate the development of the legislation of the Parties;
- to cooperate in the field of the codification and systematization of legal acts;
- to provide mutual normative legal assistance, to cooperate in the creation and development of a database in various areas of law.

Article 13

The provisions of Articles 8 to 12 of this Charter shall be implemented in the context of the provisions concerning powers and terms of reference, as the Charter provides it for.

## CHAPTER III: POWERS AND TERMS OF REFERENCE

Article 14

The terms of reference of the Union shall include:

a) exercise and protection of the rights of the citizens of the Parties that they have as citizens of the Union;

b) insurance of the equality of the rights of the citizens of the Union in getting all kinds of education and medical assistance, in employment, labor remuneration, and other areas;

c) development of the legal system of the Union, including the adoption of normative legal acts;

d) regulation of the activity of the single power, transport and communication systems;

e) development of mutual trade, free flow of commodities, services, capital and labor within the customs territory of the Union;

f) pursuance of a single customs policy, including insurance of uniformity of managing customs activities within the single customs territory;

g) creation of favorable conditions for the functioning of the single scientific, technological, and information area, pursuance of a coordinated structural policy, fulfillment of joint scientific and production programs, the establishment and functioning of joint transnational companies;

h) management of the property of the Union;

i) unification of currency regulation with the aim of gradual transition to a single currency;

j) introduction of single standards, metric systems, and single statistics;

k) approval of the budget of the Union;

l) elaboration and creation of a mechanism to control the implementation of adopted decisions, including fulfillment of the budget;

m) assistance to the coordinated development of the legislation of the Parties;

n) approval of the symbols of the Union.

The Parties may grant the Union other powers and reference in accordance with the procedure stipulated in Article 36 of this Charter.

Article 15

The joint terms of reference of the Union and the Parties shall be:

a) coordination of the fundamentals of the Union's policy, implementation of Union programs in the economic, social, ecological, and cultural fields;

b) coordination of foreign policy in the sphere of mutual interests;

c) coordination of foreign economic policy, including in respect of commodities and services crossing the customs border of the Union, as well as licensing, price regulation and other measures on non-tariff regulation, rates and mechanisms of levying customs and other duties, as well as taxes connected with foreign economic activity;

d) insurance of the collective security of the Parties;

e) interaction in ensuring the territorial inviolability of the Parties and guarding the border of the Union;

f) the fight against corruption, terrorism, and other criminal activity;

g) drafting and implementation of agreed-upon measures to ensure population employment;

h) formation of the legal framework of the Union, of agreed-upon legal fundamentals for economic, social, and cultural development;

i) creation and development of unified monetary, credit, budget, and currency systems, financial markets, coordination of the fundamentals of antimonopoly, tax and investment legislation;

j) working out of agreed-upon standards of social protection, the pension system, levels of social guarantees in the field of labor, employment, labor protection, social insurance, pensions, social protection, industrial and social hygiene;

k) pursuance of an agreed-upon policy in the field of environmental protection, hydrometeorology, ecological safety, liquidation of the consequences of natural calamities and disasters, first of all the disaster at the Chernobyl power plant.

Article 16

This Charter shall not affect the rights and obligations of the Parties that were adopted within the framework of the CIS and also under international treaties.

## CHAPTER IV: CITIZENSHIP OF THE UNION

Article 17

The Union citizenship of a citizen of the Republic of Belarus and a citizen of the Russian Federation shall not diminish his/her rights and freedoms and shall not free him/her of the duties that stem from the citizenship of the corresponding Party.

Along with the rights and duties stemming from the citizenship of the corresponding state, the citizens of the Union shall be granted rights and shall fulfil duties connected with Union citizenship.

A citizen of the Union shall have the right:

a) to free travel and permanent residence within the territory of the Republic of Belarus and the territory of the Russian Federation with observance of the regulations established by the laws of the Parties in respect of separate areas and localities;

b) to take part in managing the affairs of the Union both directly and through his/her representatives;

c) to protection on the territory of a third country, in case there is no representation of the state whose citizen he/she is, by the diplomatic representations or consular institutions of the other state on the same terms as the citizens of this state;

d) to possess, use, and dispose of property on the territory of the other Party on the same terms as the citizens of this state.

A citizen of the Union permanently living in the other participating state shall have the right to elect and be elected to local self-government bodies on the territory of this state.

If they so desire, citizens of the Parties may be issued a separate document certifying their Union citizenship.

## CHAPTER V: BODIES OF THE UNION

### Article 18

1. To implement the tasks of the Union, the Parties shall form on a parity basis a Supreme Council, a Parliamentary Assembly, an Executive Committee and, should this be necessary, other bodies of the Union.

2. The bodies of the Union shall adopt decision within the sphere of their competence and without detriment to the constitutional principles of the Parties.

3. Should this be necessary, the bodies of state power of the Parties shall bring their acts in line with the decisions of the Union bodies or promulgate acts ensuring implementation of these decisions.

## CHAPTER VI: SUPREME COUNCIL

### Article 19

The Supreme Council, consisting of the heads of state, heads of government, heads of the chambers of the parliaments of the Parties, as well as the chairman of the Executive Committee, shall be the supreme body of the Union.

The Supreme Council shall solve all questions referred by this Charter to the terms of reference of the Union, as well as questions concerning the powers of the Union in the area of the joint terms of reference of the Union and the Parties.

The Supreme Council shall:

- decide on key questions of the Union's development;
- study questions concerning the fundamental rights and freedoms of the citizens of the Union;
- establish bodies of the Union, determine their location and the terms of their stay, and direct their activity;
- approve the budget of the Union;
- ensure the interaction of the bodies of the Union among themselves and with the bodies of state power of the Parties;
- adopt decisions on questions of ensuring the security of the Parties on questions of their collective defense against outside encroachments, protection of the borders of the Union, military development, and the fight against crime;
- not less than once a year hear a report by the Executive Committee on the implementation of the decisions adopted by the Union's bodies.

Decisions of the Supreme Council shall be adopted on the basis of unanimity, whereby each Party has one vote.

The work of the Supreme Council shall be conducted on the basis of the "Statute and the Rules of Procedure of the Supreme Council" approved by it.

Article 20

The chairman of the Supreme Council shall be elected by the Supreme Council from among the presidents of the Parties on the basis of rotation for a term of two years, unless another decision is adopted.

The chairman of the Supreme Council shall:

- organize and supervise the work of the Council;
- preside at its meetings;
- represent the Union in relations with states and international organizations;
- conduct international negotiations on behalf of the Union, conclude international treaties on behalf of the Union with the consent of the Supreme Council and within the powers granted by the Supreme Council;
- sign decisions adopted by the Supreme Council.

## CHAPTER VII: PARLIAMENTARY ASSEMBLY

Article 21

The Parliamentary Assembly shall be the representative body of the Union.

The Parliamentary Assembly shall consist of deputations delegated respectively by the National Assembly of the Republic of Belarus and the Federal Assembly of the Russian Federation. Each parliamentary deputation shall include an equal number of representatives.

Representatives shall be delegated to the Parliamentary Assembly and recalled by the parliaments of the Parties in accordance with their procedures. The term and procedure for the termination of the powers of a parliamentary delegation shall be determined independently by the corresponding parliament.

Article 22

The Parliamentary Assembly shall:

- resolve the issues of developing the regulatory and legal basis for the integration of the Parties in the political, legal, economic, social, humanitarian, and other fields;
- adopt legislative acts with the status of legislative recommendation of the Union subject to priority consideration and adoption under established procedure by the parliaments of the Parties for the purpose of harmonizing their legislation;
- submit proposals on the development of the legal framework of the Union to the bodies of the Parties which have the right to initiate Legislation, and to the Supreme Council;
- contribute to harmonizing the legislation of the Parties;
- ensure the interaction of the parliaments of the Parties on the issues of mutual interest;
- participate in the formation of the bodies of the Union;

- consider the draft budget of the Union;
- exercise supervisory functions within the limits established under this Charter;
- hear the addresses of the Supreme Council on the guidelines for the development of the Union;
- approve international treaties concluded on behalf of the Union;
- contribute to the exchange of legal information, participate in the creation of a single information and legal system of the Union;
- conclude cooperation agreements with the parliaments of foreign states and international parliamentary organizations;
- exercise any other powers in accordance with this Charter.

Article 23

The Parliamentary Assembly shall hold sessions. The sessions of the Assembly shall be deemed validly convened if attended by no less than two-thirds of each deputation.

The Parliamentary Assembly shall operate on the basis of its regulations.

The Parliamentary Assembly shall form standing and *ad hoc* commissions from amongst its members that interact within their frames of reference with the corresponding committees and commissions of the chambers of the parliaments of the Parties.

The chairman of the Parliamentary Assembly shall be elected on a rotation basis by the Parliamentary Assembly from amongst the speakers of the chambers of the parliaments of the Parties for a term of two years.

The chairman of the Parliamentary Assembly and his first deputy may not be a citizen of one and the same Party.

The chairman of the Parliamentary Assembly, his deputies and the heads of standing commissions shall form the Council of the Parliamentary Assembly.

The activities of the Parliamentary Assembly shall be supported by a permanent Secretariat of the Parliamentary Assembly headed by the executive secretary approved by a session of the Parliamentary Assembly.

Article 24

The right to submit draft legislation to the Parliamentary Assembly shall be vested in: the bodies of the Union, the heads of state, parliaments, the governments of the Parties, the deputations of Belarus and Russia, as well as groups of deputies constituting not less than one-fifth of the total number of deputies of the Parliamentary Assembly.

The decisions of the Parliamentary Assembly shall be adopted if voted by not less than half of the total number of each deputation.

Article 25

The Parties shall create conditions for transforming the Parliamentary Assembly into a representative and legislative body of the Union elected directly by the citizens of the Union.

## CHAPTER VIII: THE EXECUTIVE COMMITTEE

### Article 26

The Executive Committee shall be the permanent executive body of the Union.

The Supreme Council shall form the Executive Committee.

The Executive Committee shall include equal numbers of representatives of the Parties. The head of the corresponding state shall approve the personal composition of the representatives of the Parties in the Executive Committee.

The Supreme Council shall appoint the chairman and deputy chairmen of the Executive Committee.

### Article 27

The functions of the Executive Committee and the procedure of its activities shall be determined by a statute approved by the Supreme Council as proposed by the Executive Committee.

The decisions of the Executive Committee shall be adopted by consensus, whereby each Party has one vote.

The Executive Committee shall have the right, within its terms of reference, to adopt self-implementing decisions binding for all the sectoral and other bodies of the Union and for the bodies of executive power in conformity with the legislation of the Parties.

The Executive Committee shall annually submit to the Supreme Council and the Parliamentary Assembly reports on the progress in the implementation of the projects and programs of the Union.

A decision of the Executive Committee may be suspended or cancelled by the Supreme Council.

The Executive Committee shall have a staff the size of which shall be determined by the Supreme Council.

The head of the staff shall be the business administrator of the Executive Committee appointed by the Supreme Council.

### Article 28

To perform the functions stipulated under this Charter, the decisions of the Supreme Council may, on the basis of proposals made by the Executive Committee, establish sectoral and other bodies as well as organizations of the Union. Each such body shall proceed on the basis of a corresponding statute approved by the Executive Committee.

Such bodies shall be created on the basis of parity and shall pursue their activities on a collegiate basis.

### Article 29

The executive bodies of the Parties, proceeding from the decisions of the bodies referred to in Article 28, shall take measures to ensure the implementation of such decisions within the established deadlines.

## CHAPTER IX: FINANCES AND BUDGET

### Article 30

1. The budget of the Union shall be formed for the purpose of financing the joint programs, projects, and events as well as for the maintenance of the bodies of the Union.

The Executive Committee shall develop and submit the budget for approval by the Supreme Council and shall monitor its implementation.

2. The revenues of the Union budget shall be formed from:

a) deductions envisaged by the state budgets of the Parties according to standards and in amounts approved by the parliaments of the Parties;

b) proceeds from the property of the Union;

c) incomes from investment of temporarily free resources at the disposal of the bodies of the Union in deposit accounts with banks and from the transfer of assets in trust management under contracts;

d) other revenues.

The Supreme Council in consultation with the Parliamentary Assembly shall approve the areas of spending of the Union budget.

3. The maintenance of the bodies of the Union shall be financed out of the Union budget unless otherwise determined by the Supreme Council. The Executive Committee in accordance with the regulatory and legal acts of the Union shall regulate financial and economic issues of the activities of the bodies of the Union.

The Parties shall independently incur the costs of the events not foreseen by the Union budget.

### Article 31

The Parties shall provide the necessary conditions to ensure the convertibility of their currencies in current operations to create a uniform currency system of the Union with subsequent introduction of a single currency.

The monetary systems of the Parties shall be united through the formation of a single emission center.

### Article 32

The Parties may transfer for temporary use to the bodies of the Union the property required for the exercise of their powers. Such property shall be used exclusively for the performance of the tasks of the Union under this Charter.

## CHAPTER X: OFFICIALS OF THE BODIES OF THE UNION AND THE STAFF THEREOF

### Article 33

1. The officials of the bodies of the Union and the staff thereof shall be appointed from amongst the citizens of the Parties.

2. The officials of the staff of the bodies of the Union:

a) may not combine their work with other activities for remuneration with the exception of teaching, research, and other creative activities;

b) may not engage in activities incompatible with their status of officials of the staff of the bodies of the Union and use their position, among other things, in the interests of political parties and associations.

3. The officials of the bodies of the Union and the staff thereof in the course of their employment shall enjoy the social welfare, medical and transport services under a procedure and on terms stipulated by the legislation of the host state for corresponding groups of civil servants.

4. Pensions shall be provided for the officials referred to in Chapter III in accordance with the procedure and on the terms set forth by applicable legislation for the civil servants of the states of which they are citizens.

## CHAPTER XI: SETTLEMENT OF DISPUTES

### Article 34

1. In the event of differences over the application or interpretation of the 'Treaty on the Union of Belarus and Russia' and this Charter, the Parties will, in the spirit of co-operation, seek to settle them fairly through mutual consultations and negotiations.

The Parties shall seek to prevent possible differences through corresponding bodies of the Union.

The Supreme Council of the Union shall be authorized to administer corresponding conciliatory procedures to settle the differences.

2. In the event a Party shall adopt a normative legal act that violates this Charter or the normative legal acts adopted pursuant to this aim, the Supreme Council and, within its frame of reference, the Executive Committee, shall draw the attention of the state bodies of such state to the violation for the purpose of curing such violation.

3. The Parties shall establish the Court of the Union.

## CHATER XII: WITHDRAWAL FROM THE UNION

### Article 35

A Party shall have the right to withdraw from the Union. It shall provide written notification of its intention to withdraw from the Union to the Supreme Council and the other Party 12 months in advance.

The withdrawal of one Party from the Union shall not affect the performance by such participant of the obligations that arose during the period of participation in the Union and for whose implementation a definite period of time has been fixed.

## CHAPTER XIII: FINAL PROVISIONS

### Article 36

The Parties, the Supreme Council, and the Parliamentary Assembly may propose amendments to this Charter. The Supreme Council shall consider draft resolutions on amendments.

Amendments shall be ratified by the Parties and shall come into force from the time of the exchange of instruments of ratification.

### Article 37

To resolve fundamental issues of further development of the Union, referenda may be held under a procedure and in compliance with the laws of the Parties.

### Article 38

The working language of the bodies of the Union shall be Russian.

### Article 39

This Charter shall be subject to ratification together with the 'Treaty on the Union of Belarus and Russia' and shall come into force from the time of the exchange of instruments of ratification.

Done at Moscow on 2 April 1997, in two copies, each copy being in the Belarusian and Russian languages.

| For the Republic of Belarus | For the Russian Federation |
|---|---|
| Aleksandr Lukashenka | Boris Yeltsin |

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